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Ontological Sovereignty and the Ontology of Suspension

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I, Gabriel Wartinger, confirm that the work presented in my thesis is my own. Where information has been derived from other sources, I confirm that this has been indicated in the thesis.

## Abstract

The deconstruction of metaphysics, whether through Nietzsche's hammer or Heidegger's *Abbau*, has disrupted traditional philosophical frameworks. With gods, humanity, and morality no longer providing transcendental grounding, the risk of violent confrontation through unchecked affirmative force, as in Nietzsche's *Will to Power*, becomes pertinent. The destruction of transcendental grounding has thus necessitated a critique that suspends and reconstructs conceptual restraints to address this violent play of forces. This suspension is a contingent attempt to resolve such violence, exemplified by sovereignty, where the absence of foundations results in provisional political grounding. I argue that this ontological suspension requires the continued use of force, whether archaic or interpretative, to sustain its capacity to suspend while simultaneously resisting absolute grounding. This thesis interprets the aporetic harnessing of force as a sovereign gesture that shapes (political) existence. The suspension of foundations and the perpetuation of sovereignty are therefore not mutually exclusive. To question this connection, I examine sovereign modalities in the works of Heidegger, Schmitt, and Bataille, aiming to conceptualise how they construct a sovereign dynamic through an analysis of the forces shaping existential and political realities. Chapter I analyses Heidegger's notion of *Walten* (prevailing) to understand ontological sovereignty and how it consolidates and constrains ontological difference. Chapter II evaluates Schmitt's concept of *Ausnahme* (exception) as an existential decision perpetuating the context for political becoming. Chapter III assesses Bataille's notion of *dépense* (expenditure), arguing that sovereignty is linked not to utility but to servitude within a horizon of excessive force. The sovereign decision becomes a choice between more or less destructive forms of expenditure. Chapter IV synthesises these perspectives, arguing that ontological sovereignty is an existential obligation to actively reshape violent forces. Understanding existence through this process of reshaping leads to an ontology of suspension.

## Impact Statement

This thesis advances the philosophical and political analysis of sovereignty by moving beyond traditional frameworks centred on authority, decisionism, and normative order. Adopting an ontological interpretation, it questions the fragile and contingent characteristics of political and social foundations shaped by existential conditions such as finitude, conflict, and excess. Through novel interpretations of Martin Heidegger, Carl Schmitt, and Georges Bataille, this thesis provides a comparative analysis that has not yet been systematically conducted. While Carl Schmitt is widely recognised as a canonical thinker of sovereignty, Bataille and Heidegger introduce significant ontological perspectives that complicate and expand Schmitt's political framework. Together, their theories enable a thorough analysis of foundational questions concerning the emergence, formation, and dissolution of political forms. This comparative approach not only highlights the weight and limitations of their theories but also grants a new existential perspective for studying sovereignty. In this thesis, sovereignty is depicted not merely as a mechanism for enforcing unity or authority but as operating within a precarious suspension that reflects the inherent fragility of communal and political life. This interpretation benefits current scholarship on these thinkers while refining and complicating the study of political form, providing an assessment of the unstable foundations of political existence. Furthermore, it proposes new methodological strategies that combine existential philosophy, ontology, and political theory to address contemporary political questions. Beyond benefiting contemporary scholarship by integrating political and existential sovereignty, this thesis develops a transdisciplinary approach that bridges the traditional divide between philosophy and political theory. Sovereignty remains a foundational concept for understanding social cohesion. By challenging the conventional association between sovereignty and stable grounding, this thesis provides a theoretical framework for conceptualising new forms of political coexistence. This reassessment of sovereignty has the potential to encourage a more nuanced understanding of political forms shaped by existential complexities, notably in the context of contemporary crises.

## UCL Research Paper Declaration Form

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## Introduction

This man [sic] who is now free, who actually has the prerogative to promise, this master of the free will, this sovereign— how could he remain ignorant of his superiority over everybody who does not have the prerogative to promise or answer to himself, how much trust, fear [Furcht] and respect [Ehrfurcht] he arouses —he ‘merits’ all three— and how could he, with his self-mastery, not realise that he has necessarily been given mastery over circumstances, over nature and over all creatures with a less enduring and reliable will?

Nietzsche, *On the Genealogy of Morality*,  
Second Essay, 2

Ever since the destruction of metaphysics —whether attributed to Spinoza, Nietzsche, Heidegger, or their predecessors— a play of forces has been unleashed. The history of Western metaphysics is thus a history of destruction (Destruktion)<sup>1</sup>. This destruction has undermined the totalising narratives of philosophy that once operated through expansive conceptual systems. Freed from categories such as god, humanity, idea, morality, and substance, the very ‘things’ philosophy sought to grasp have been set loose, no longer containable within reductive schemas; everything solid has receded. Consequently, traditional strategies of sense-making have lost their explanatory potential.

Philosophy is compelled to contend with the dispersal, arising from the absence of any unifying ground. Paradoxically, this metaphysical closure has thus resulted in an opening<sup>2</sup>. The ancient metaphysical search for underlying, authentic, and originating meaning has been replaced by a critique or an analysis of appearances, forces, and simulations<sup>3</sup>. These adapted means of critical inquiry have not eliminated

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<sup>1</sup> “‘metaphysical’ in the Nietzschean sense: the refusal to consider an order of ‘appearances’, preferring, instead, authentic reality (deep, living, originary— and always on the order of the Other).” (Nancy 2000a, p. 52). Spinoza employed deduction to complicate the relation between Being and substance. Nietzsche wielded a hammer to reveal the will to power and destroy values in order to forge them anew. Heidegger, in turn, understood *Being and Time* as the first step towards a destruction of a form of metaphysics that contributed to the forgetting of Being (cf. Heidegger 2006b, §18), which will be cited as *Sein/Zeit*.

<sup>2</sup> Derrida’s notion of metaphysical closure (clôture) is precisely the opening for his own philosophical project (cf. Derrida 1997, p. 99).

<sup>3</sup> “Either we master meaning, and appearances escape us; or the meaning escapes, and appearances are saved.” (Baudrillard 2011, p. 25).



questions of normative valorisation, which still largely accompany philosophical and, even more so, political questioning. However, they now need to accommodate a more dynamic economy of signification, where previous interpretative strategies quickly reach an impasse<sup>4</sup>. Nietzsche associated this destabilisation of foundations with both a perceived powerlessness (Ohnmacht) and dread (Furcht)<sup>5</sup>. This dread tends to demand certainty, no matter how precarious that certainty might be<sup>6</sup>.

Modernity is marked by different responses to this destabilising uncertainty<sup>7</sup>. Regardless of the response, each had to contend with the loss of stabilising structures that once accounted for existential power, force, or violence<sup>8</sup>. In the absence of these frameworks, such ‘forces’ have been exposed, unconstrained by meaning or the production of knowledge<sup>9</sup>. Yet, this exposure has not resulted in a lasting departure from explanatory structures that presume to definitively account for their objects of concern. Instead, the absence of foundations has itself become a critical theme<sup>10</sup>.

Philosophy, both belated and premature, has at times reflected this tendency with admirable precision<sup>11</sup>. Caught between delay and anticipation, philosophical critique nevertheless allows itself a certain contemplative distance. In contrast, forms of political analysis, which strive to provide a trenchant understanding of the current moment, cannot afford such temporal displacement. However, at times, philosophical reflections become indistinct from political expressions.

Provisionally, I propose to understand the political as a space –or topos– where a play of forces is confronted, temporarily solidifying through this confrontation. Politics, in this sense, is the practice of such communal confrontation, whether that be bellicose, conflictual, or consensual. While philosophy traditionally maintains an acerbic distance

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<sup>4</sup> (cf. Nietzsche 2022b, p. 348)

<sup>5</sup> (cf. Nietzsche 2022a, p. 34). Simultaneously, Nietzsche is acutely aware of the specific sense of comfort that corresponds with being overwhelmed (überwältigt) (cf. *ibid.* p. 212).

<sup>6</sup> „Verlangen nach Gewissheit“ (Nietzsche 2022b, p. 581).

<sup>7</sup> Being modern, as Nancy suggests, implies acknowledging an exposed “unrepresentability” (Nancy 2000a, p. 73). As indicated above, this lack of representation derives from the destruction of grand conceptual categories.

By force, I do not refer to an economy of the hidden or obscure, but to a spontaneous, pre-ontological understanding of existence– a comprehension of the coordinates that animate our lives, which is not (yet) shaped by philosophical questions.

<sup>8</sup> As Nancy records, there is no actual loss of power; power merely “shifts from place to place” (Nancy 2000a, p. 42).

<sup>9</sup> “a play of energy that no particular end limits: the play of living matter in general” (cf. Bataille 2022, p. 23), which will be cited as *Accursed Share I*.

<sup>10</sup> “Modernity was to be the great leap forward [...] a time free of all that stuff of which fears are made. What was to be a route of escape, however, proved instead to be a long detour. [...] Our is, again, a time of fears.” (Bauman 2006, p. 2). I concur with Oliver Marchart’s insistence that the foundation or ground remains operative, precisely due to its absence (cf. Marchart 2019, p. 67).

<sup>11</sup> (cf. *ibid.* p. 70)

from the political, there exists a domain where this distance is neither conclusive nor definitive<sup>12</sup>. In this context, any attempt to *consolidate* the play of forces resulting from the dissolution of foundations should be viewed as a political endeavour.

Throughout this thesis, it will be of little relevance whether such attempts at *consolidation* result from philosophical rigour or political concern; they each strive to contain a flux of force that is perceived as perilous<sup>13</sup>. For Heidegger, such peril corresponds with *Seinsvergessenheit*, the forgetfulness or oblivion of Being; for Schmitt it is called depoliticisation; and for Bataille, it equates to a notion of ontological excess that, if ignored, culminates in catastrophe. In each of these cases, the destruction or absence of foundations requires provisional (interpretative) structures to grasp existential predicaments. I propose to term the guiding symptom throughout these attempts as *ontological sovereignty*.

Sovereignty, when conceived ontologically, attempts to coalesce, unify, or gather meaning within a relatively stable horizon<sup>14</sup>. *Sovereign consolidation*, as a response to existential dread, can be considered a *precarious attempt to stabilise* meaning and halt an otherwise uncontrollable ontological flux<sup>15</sup>. In this sense, a philosophical or political strategy that is ontologically sovereign brackets the area of its concern, stabilising this region through its very suspension. This operation is less abstract than it seems. When facing existential instability, strategies of suspension serve to provide contingent foundations in an otherwise unsettling context<sup>16</sup>. They reduce complexity, rendering the context more ‘governable’.

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<sup>12</sup> Arendt interprets this distance as a separation between *bios theōrētikós* and *bios politikos*, bridging it through the notion of *vita activa* (cf. Arendt 2018, p. 13f). Nietzsche, however, does not allow for such a distinction between the political and the philosophical; both, in his view, doxically employ the rhetorical functioning of truth and falsity (cf. Nietzsche 1954, p. 310ff).

<sup>13</sup> Arguably, political concerns, unlike philosophical rigour, tend to perceive themselves as more immediate and pressing.

<sup>14</sup> Franz Rosenzweig provides a peculiar characterisation of this predicament: “All of world history is merely the forward motion of this border, merely the tumultuous collision of the Mine, Yours, and His; the constantly grappling formation of ‘Me and You’ relationships out of the undifferentiated chaos of the It.” (Rosenzweig 2023, p. 313).

<sup>15</sup> The ontological flux –apparent in an understanding of existence stabilised solely by birth and death– tends towards a common tautological reference. The sovereign entity –whether an anarchic cell, an autocrat, the populace, or the philosopher– can only refer back to itself and must ground meaning within itself. Thus, sovereignty is inherently self-referential– an end in itself; a solipsism that perpetually risks disintegration. Indeed, as Derrida notes, it is always already fractured, disintegrating (cf. Derrida 2005, p. 52).

<sup>16</sup> As Butler suggests: “the point is not to do away with foundations, or even to champion a position that goes under the name of antifoundationalism. Both of those positions belong together as different versions of foundationalism and the skeptical problematic it engenders. Rather, the task is to interrogate what the theoretical move that establishes foundations authorizes, and what precisely it excludes or forecloses.” (Butler 1992, p. 7).

Heidegger's symptomatic perception of *Seinsvergessenheit* highlights the need to re-engage with the question of Being: its oblivion structures the history of philosophy and reflects a failure to decisively confront existence, and thus finitude<sup>17</sup>. In his metaphysical lectures, as I will note in greater detail below, he employs the terminology of *Walten* or *prevailing*, to stress how finitude violently prevails through our existence and how this prevalence requires decisive confrontation<sup>18</sup>. For Heidegger, the failure to address Being and to engage in this confrontation culminates in existential irrelevance<sup>19</sup>. In this sense, Heidegger provides the language to conceptualise an ontological notion of sovereignty that, for better or worse, exceeds questions of political authority, dominance, or power.

Schmitt is broadly considered the 20<sup>th</sup> century's decisive theorist of sovereignty<sup>20</sup>. Schmitt's sovereign –whether autocratic or collective– is the actor who decides on the exception, employing *suspension* to found or revitalise a political community<sup>21</sup>. In other words, Schmitt theorises a context of political hostility that inevitably requires political units to withstand conflict<sup>22</sup>. In this context, a political unit must establish a decisive sovereign form. Political formlessness –conceived as a symptom of depoliticisation by Schmitt– could culminate in the disappearance of “a weak people”<sup>23</sup>.

While Schmitt studies the *state of exception* as the most poignant expression of sovereignty, Bataille turns to what I term the *state of exaltation*. He perceives existence as inherently excessive. For Bataille, the ontological order at large rests on a principle of excess, where the major sovereign question becomes how to dispose of this excess

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<sup>17</sup> (cf. *Sein/Zeit* §1)

<sup>18</sup> (Heidegger 1976, p. 156)

<sup>19</sup> (Heidegger 2000a, p. 100), which will be cited as Introduction.

<sup>20</sup> He has indeed coined some of sovereignty's most infamous apothegms: “The concept of the state presupposes the concept of the political.” (Schmitt 2007, p. 19), which will be cited as Concept o. t. Political. “Sovereign is he [sic] who decides on the exception.” (Schmitt 2005, p. 5), which will be cited as Pol. Theology.

<sup>21</sup> (cf. Schmitt 2015a, p. 18), which will be cited as Pol. Theologie.

<sup>22</sup> Schmitt inherits and affirms Hobbes's negative anthropological vision (Schmitt 2004, p. 60). This hostility will later be termed antagonism by political theorists such as Ernesto Laclau and Chantal Mouffe (cf. Laclau/Mouffe 2001, p. xiii); (cf. Mouffe 2009, p. 13). In the *Democratic Paradox*, Mouffe examines Schmitt's critique of liberal democracy. Her perspective foregrounds the division between insiders and outsiders of the demos, essential to democratic operation. She argues that this inherent tension, often manifested through the relationship between equality and liberty, should not be resolved. In her view, democracy perpetually oscillates between these two principles. Mouffe contends that seeking a resolution or a balanced midpoint is not desirable. Instead, she advocates for recognising that this antagonist dynamic can only achieve temporary stability through transient hegemonic practices (cf. Mouffe 2009, p. 4f).

<sup>23</sup> “If a people no longer possesses the energy or the will to maintain itself in the sphere of politics, the latter will not thereby vanish from the world. Only a weak people will disappear.” (Concept o. t. Political, p. 53).

relatively peacefully. He thus comes close to defining what I conceive as the aporetic logic of sovereignty where foundational attempts ultimately prevent their own lasting grounding. Bataille notes that this excess prevents enduring foundations but nonetheless suggests that one consider ways to prevent it from manifesting in its most destructive forms<sup>24</sup>. In this sense, Bataille identifies existence as one suspended between excess and strategies that –preferably– attempt to mitigate destruction<sup>25</sup>.

Throughout all these interpretative frameworks, the withdrawal of solidity necessitates a suspension of meaning. This suspension serves as a transient foundation from which to mount an analysis or critique of existence. Consequently, whether intentionally or not, Heidegger, Schmitt, and Bataille emphasise that any political form or sovereign decision is inevitably provisional and vulnerable to disintegration.

Ultimately, sovereignty is a thus question of foundation<sup>26</sup>. In the absence of firm grounding, thought occasionally constructs a transient basis, however ephemeral. Without these attempts, one is left to contend with fear, radical pragmatism, or vertigo. There is a common, sovereign denominator in the effort to provide an ontological underpinning to fleeting existence. Even as foundational meanings recede, sovereignty persists as a resilient notion that, in its most colloquial sense, defines unimpeded authority. In its least technical respects, ontological sovereignty thus serves to ground existential meaning without establishing a lasting foundation.

Before transitioning to a review of traditional and more contemporary interpretations of sovereignty, I am yet to stress why an *ontological reading of sovereignty* is required. While most critiques of sovereignty focus on political or legal authority, the structure of decisions, or confrontations between normative constructs, they fail to account for the unstable tendencies –what I referred to as forces– that shape the foundations of communal and political life. By interpreting sovereignty ontologically, one can question how finite political forms are contingently unstable and formed or structured to confront this instability.

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<sup>24</sup> Bataille's notion of excessive existence demonstrates the precarity of foundational attempts while acknowledging their necessity to avert catastrophic outcomes: "[the] definition of being and of excess cannot repose upon a philosophical basis, excess surpassing any foundational basis" (Bataille 2012, p. 130).

<sup>25</sup> "Bataille himself remained suspended, so to speak, between the two poles of ecstasy and community." (Nancy 1991a, p. 20).

<sup>26</sup> (cf. Nancy 2000c, p. 107)

An ontological interpretation of sovereignty thus shifts the focus from political structures to the existential conditions shaping these structures. It shows that sovereignty is not ‘merely’ a means for maintaining political-judicial order –however capricious and fragile– but also about confronting and consolidating existence, finitude, and excess. This allows one to reconceive political existence in terms of shared finitude and relationality, beyond the traditional notions of unity or decisionism. Thus, it offers an alternative conceptualisation of how political forms are constructed, sustained, and dissolved.

### **From Political Application to Ontological Inquiry**

In March 2020, prior to engaging with this project, I encountered a peculiar formulation in *Le Monde Diplomatique*. It was in an article on “Trump’s Plan for Palestine”, discussing the tendentious draft of an Israel-Palestine peace-treaty sketched by the Trump administration<sup>27</sup>. Without recapitulating either the article’s or the plan’s details, it is quite remarkable how the US administration conceptualised sovereignty in this treaty, which they perceived as: “an amorphous concept that has evolved over time [...]. The notion that sovereignty is a static and consistently defined term has been an unnecessary stumbling block [...]. Pragmatic and operational concerns that affect security and prosperity are what is most important”<sup>28</sup>.

This anamnesis, stopping short of a definition, summarises the conflictual tendency surrounding polymorphic sovereignty. When it is “consistently defined”, it proves to be an “unnecessary stumbling block”, yet there is undeniably a violent insistence on maintaining static conceptual consistency when the US’s sovereignty is questioned or its hegemony challenged<sup>29</sup>. In other words, conceptual fluidity is required when other sovereign forms are concerned, while one’s own form ‘must’ be sustained against all odds.

As Wendy Brown writes in the context of this sovereign polysemy: “sovereignty is an unusually amorphous, elusive, and polysemic term of political life.”<sup>30</sup>. Similarly,

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<sup>27</sup> (cf. Gresh 2020, <https://tinyurl.com/LMDPalestine>; [last access 02.10.2024; 14:00])

<sup>28</sup> (White House 2020, <https://tinyurl.com/White-House-2020> [last access 02.10.2024; 14:10])

<sup>29</sup> (cf. *ibid.*)

<sup>30</sup> *Walled States, Waning Sovereignty* mentions another illustrative example from a previous US administration: “George W. Bush was not alone in defining it tautologically: ‘sovereignty means ... you have been given sovereignty ... and you’re viewed as a sovereign entity.’” (Brown 2017, p. 60). As will become clearer throughout my thesis, I reserve the “amorphous” quality of sovereignty to strategies of dispersal (*ibid.*).

Dieter Grimm, professor of constitutional law and former justice of Germany's Federal Constitutional Court, notes: "even at the same time and in the same place, the meaning of sovereignty has seldom been fixed."<sup>31</sup> Or, finally, sovereignty: "is regarded as elusive and indeterminate, barely a concept, bordering on the ideological; either a pure fact or a metaphysical fiction, and thus of minor theoretical interest and political significance."<sup>32</sup> What does sovereignty imply, despite or precisely because of its polysemy? Before returning to my suggestion of interpreting sovereignty ontologically, I will briefly review both traditional and contemporary theorisations to elucidate the difficulties that this concept poses.

Brown's guiding thesis is that nation-state sovereignty is waning, but that this loss does not coincide with a post-sovereign era. Instead, "states and sovereignty [...] come apart from each other"<sup>33</sup>. This separation results in a domain where non-sovereign states operate in response to sovereign "political economy and religiously legitimated violence"<sup>34</sup>. In this sense, the dominion of capital and theological violence replaces Western nation-state sovereignty<sup>35</sup>. Brown thus suggests that sovereignty has not waned altogether but is now more accurately described by an analysis of the "global movements of capital and the growing power of transnational legal, economic, and political institutions"<sup>36</sup>. Similarly, Grimm questions whether sovereignty still applies

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<sup>31</sup> "As a rule, competing interpretations have striven for primacy. [...] The questions have almost always involved what sovereignty is and who holds it [...] in particular, the subsidiary question whether it represents abstract or concrete, divisible or indivisible authority [...] whether it belongs to an individual or a collective and whether its possession and exercise can be in the same hands or can be separated. These questions did not, however, extend to sovereignty in and of itself." (Grimm 2015, p. 4).

<sup>32</sup> Andreas Kalyvas seeks to resurrect the importance of "sovereignty as constituent power" in democratic discourse (Kalyvas 2018, p. 88).

<sup>33</sup> (Brown 2017, p. 35). Yet again, reflecting on sovereignty entails reflecting on "forces". I do not seek to metaphysically charge this terminology, yet I still find it remarkable that sovereignty, even when conceptualised non-philosophically, relies on this dictum: "Meanwhile, forces sustaining or shoring up nation-state sovereignty are few and tend to be backward looking— for example, nationalism, despotism, and imperialism." (ibid.).

<sup>34</sup> (ibid.).

<sup>35</sup> Western nation-state sovereignty has been a pillar of political thought since the Peace of Westphalia (cf. ibid.). In this context, Brown identifies walls as: "iconographic of this predicament of state power. Counterintuitively, perhaps, it is the weakening of state sovereignty, and more precisely, the detachment of sovereignty from the nation-state, that is generating much of the frenzy of nation-state wall building today [...] the new walls are icons of its erosion". (ibid. p. 36).

<sup>36</sup> (ibid. p. 34). It is in the context of this 'loss' that Joel Wainwright and Geoff Mann analyse what they perceive as a new form of global or planetary sovereignty: "under pressure from climate change, the intensification of existing challenges to the extant global order will push existing forms of sovereignty toward one we call 'planetary'." (Wainwright/Mann 2020, p. X). In this sense, they concur with Brown's suggestion of a new order of sovereign global capitalism: "the drive to defend capitalist social relations will push the world toward 'Climate Leviathan', namely, adaptation projects to allow capitalist elites to stabilize their position amidst planetary crises. This [...] implies a shift in the character and form of sovereignty; the likely emergence of planetary sovereignty." (ibid. p. 15).

in a global setting where transnational institutions have presumably compromised traditional or historic notions of sovereignty. He outlines the varying degrees to which political-judicial sovereignty is defective and concludes that: “what varies is the intensity with which sovereignty is impaired, but not the basic fact that sovereignty in the traditional sense has been lost.”<sup>37</sup>

What is it that has been lost? And how should the shifts in sovereign agency, that Brown suggests, be perceived? To address these questions, I will engage in a brief genealogy of sovereignty to shed light on a presumably lost conception. In particular, I will emphasise how this notion has been associated with a shifting conception of the political.

In the context of political thought, Europe’s 16<sup>th</sup> century is marked by the inception of a realist approach to politics, most notably associated with Machiavelli<sup>38</sup>. Here, the political implies a self-contained and self-serving activity that can be detached from both moral and religious concerns<sup>39</sup>. While Machiavelli was drafting *The Prince* and *Discourses*, Luther, in 1517, presented his theses. This religious schism, combined with the notion of an autonomous realm of political articulation, would soon culminate in the notion of sovereignty.

Throughout decades of European wars characterised by colonial expansions, feudal disputes, and religious divisions, a “party of the political” demanded that political questions take precedence over religious confrontation. In this sense, the *raison d’état* became a conception of the state to which religion had to submit<sup>40</sup>. Political sovereignty thus took shape to authorise or legitimise an entity capable of forcefully putting an end to these confrontations.

It is against the backdrop of France’s religious wars that Bodin, as Schmitt notes, “incorporated the decision into the concept of sovereignty.”<sup>41</sup>. The conceptual development of sovereignty is thus, as Brown highlighted, closely tied to the nation-state<sup>42</sup>. It served to envision an indivisible unit whose power is, in theory, neither

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<sup>37</sup> (Grimm 2015, p. 92)

<sup>38</sup> (cf. Gauchet 2023, p. 26)

<sup>39</sup> (cf. *ibid.* p. 32)

<sup>40</sup> (*ibid.*). “The State possesses a supremacy that is metaphysically absolute, operative on the scale of the human realm since this supremacy even commands over those serving the divine.” (*ibid.*).

<sup>41</sup> (cf. *Pol. Theology*, p. 8). “The decisive point about Bodin’s concept is that by referring to the emergency, he reduced his analysis of the relationship between prince and estates to a simple either/or.” (*ibid.*).

<sup>42</sup> (cf. Brown 2017, p. 35)

marred by religious schisms nor aristocratic disputes. Beyond realist politics, this also introduced new symbolic forms of authority and power.

Bodin, who is broadly credited with employing sovereignty in a decisively political context, summarises its authoritative reach by referring to *legibus solutus*, and *majestas*<sup>43</sup>. The former describes prerogative power, while the latter refers to both the indivisibility and the supreme authority of the sovereign decision. In its historical context, this implied that the “civil magistrate”, monarch, or prince took precedence over religious disputes. Such monopolisation of power was envisioned as the only option for peace<sup>44</sup>. By no means did this undermine the authority of the divine, but it reserved a particular domain for political confrontation through which ethereal matters were to be resolved. It was in the hands of Bodin’s sovereign, whether collective or singular, to possess “governing authority”<sup>45</sup>.

This right to legislate did not unsettle a perception of divine justice, but it allowed for the creation of a realm of politics and law where the sovereign operated exclusively<sup>46</sup>. Bodin constitutively linked the ethereal to the divine sovereign, allowing him to presumably contain “excesses or abuses” of sovereignty<sup>47</sup>. The sovereign was thus a representative of God, thereby linking reverence with political authority, as contempt toward one was tied to contempt toward the other<sup>48</sup>. This link turned the sovereign into the decisive force, directing political life<sup>49</sup>.

The 17<sup>th</sup> century, epitomised by Hobbes, proceeded to found the political order on a notion of law. This implied that Bodin’s sovereignty, which still maintained a religious link –while separating the purview of divine and ethereal governance– was no longer sufficient. Modern natural law provided this foundation, attempting to respond to the problem of legitimacy that derived from a religiously stabilised sovereign<sup>50</sup>. In

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<sup>43</sup> (cf. Bodin 1955, p. 24; 46ff). Historically, it is disputed whether these elements were already present among medieval monarchies (cf. Grimm 2015, p. 15).

<sup>44</sup> (cf. Gauchet 2023, p. 32)

<sup>45</sup> “To Bodin, unified sovereignty also required a single holder whom he could not imagine as anything but a concrete person or persons. From a historical perspective, only a king was conceivable, but Bodin did not settle theoretically on a monarch. He also saw the possibility of a collective of persons – the nobility or the people– as the holder of sovereignty. Only a division of sovereignty among several independent holders was ruled out.” (Grimm 2015, p. 21); (cf. Cocks 2014, p. 30).

<sup>46</sup> This exclusive rule was still restricted by conventions regarding the succession of nobility and the “inalienability of crown lands.” (Grimm 2015, p. 22).

<sup>47</sup> (Brown 2017, p. 72)

<sup>48</sup> (cf. *ibid.* p. 82). Such an onto-theological connection, of constant interest for Schmitt, will remain relevant for political analyses of sovereignty.

<sup>49</sup> As noted by Benjamin: “The sovereign is the representative of history. He holds the course of history in his hand like a sceptre.” (Benjamin 1998, p. 65).

<sup>50</sup> (cf. Gauchet 2023, p. 33)



this context, Hobbes drafted his notion of a state that was to prevent civil war. Should a state fail to consolidate its warring elements, it would lose its legitimacy<sup>51</sup>. Foremost, for Hobbes, sovereignty turned into a question of authority<sup>52</sup>. This authority cannot merely be a nominal element; it must be enforceable<sup>53</sup>. Hobbes thus maintained Bodin's *majestas*, and his notion of *legibus solutus*, but further sharpened what Schmitt terms the simple either/or of sovereignty.

According to Schmitt, he accomplished this by reducing the sovereign question to "quis judicabit" – who decides<sup>54</sup>. In this sense, sovereignty maintained a twofold definition. *Legibus solutus* had to declare who decides and where. Meanwhile, *majestas* described the authority of the sovereign decision by appealing to an either/or: can the state consolidate its internal confrontations, or can it not<sup>55</sup>? For Hobbes's negative anthropology, where the next conflict is only a matter of time, sovereignty concerns less a question of representation than a factual assessment of whether the state can assure internal cohesion or cannot<sup>56</sup>. This requires both a theory of the individual and the political subject<sup>57</sup>.

The development of political sovereignty was thus always tied to the question of sovereign agency, or the distribution of both individual and political rights. Unlike Hobbes, who subordinated popular sovereignty –i.e. the sovereignty of 'the' people– to the prerogative power of the state, Rousseau complicated this relationship. For Rousseau, the people no longer coalesce around the sovereign but are themselves the sovereign. Regardless of whether Hobbes's social contract remains valid, sovereignty cannot be represented for Rousseau<sup>58</sup>. In this sense, sovereignty still remains a question of exchange, as introduced by Hobbes or, prior to him, Spinoza: you grant me security, I grant you to abstain from inflicting violence upon the other's

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<sup>51</sup> (cf. Schmitt 2018, p. 72), which will be cited as *Leviathan*.

<sup>52</sup> "Responding to the English wars of religion, he [Hobbes], like Bodin, assumed that restoring domestic peace required an omnipotent and irresistible authority." (Grimm 2015, p. 28).

<sup>53</sup> (Hobbes 1668, p. 133)

<sup>54</sup> (*Leviathan*, p. 166)

<sup>55</sup> (cf. *ibid.* p. 166ff)

<sup>56</sup> (cf. *ibid.* p. 52)

<sup>57</sup> (cf. Gauchet 2023, p. 33). Presumed civil danger, inferred from a hostile state of nature, 'necessitated' the shift to "civil society" (Grimm 2015, p. 30).

John Locke, reducing the reach of Hobbes's state, demanded that only "the right to self-help had to be transferred.". Through Locke, the state turned into a "trustee" of the people. The people thus "retained ultimate power and could put it to use if the parliament departed from the state's purpose of protecting freedom." (*ibid.*). Furthermore, Locke was particularly diligent in linking "land appropriation" with "political founding" and "the sovereignty of states and individuals" (Brown 2017, p. 56). "Locke subdivided the powers of the state, yet formulated prerogative power (state sovereignty) as precisely what can suspend or set aside legislative power (popular sovereignty)." (*ibid.* p. 62).

<sup>58</sup> (cf. Grimm 2015, p. 31)

'freedoms'<sup>59</sup>. However, unlike his predecessors, with the possible exception of Spinoza, Rousseau unified the object and subject of sovereignty.

Rousseau's popular sovereign is, in theory, self-governing. All individuals exchange their 'natural liberties' for a share of sovereign power. Both the definition and the exercise of sovereignty were thus, through Rousseau, conjoined with the people<sup>60</sup>. He thereby undermined the chasm that sovereignty had previously constructed between the people and the state<sup>61</sup>. The decisional entity was no longer separated from the subjects it presided upon. However, whether unified or not, this brief genealogy of sovereignty stresses that political sovereignty was always envisioned to enlarge or at least secure, rather than constrain, the sovereignty of the subject<sup>62</sup>. This is where political and philosophical notions of sovereignty correspond closely. Despite their differences, Bodin, Hobbes, and Rousseau each describe sovereignty as indivisible<sup>63</sup>.

The decisive criteria, features, or modalities of sovereignty as they have emerged from its genealogy, are thus the following<sup>64</sup>. First, there is supremacy, or what Bodin terms *majestas*<sup>65</sup>. Second, continuity over time and the rule of decision, with the latter being continuously emphasised by Schmitt. This decisional continuity must be absolute and complete; it cannot be partial. Furthermore, it must be nontransferable and apply within a specified territory or jurisdiction<sup>66</sup>. While many of these features rapidly disintegrate when measured against the background of contemporary political life, they nevertheless serve as suitable references to interrogate the aporetic characteristics of sovereignty.

Sovereignty is thus inseparable from questions of both agency and grounding<sup>67</sup>. Most often, it describes a predicament in which a particular form of existence claims

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<sup>59</sup> "If, according to the theory of state of natural law, people give up all their violence for the sake of the state, this is done on the assumption (which Spinoza, for example, states explicitly in his *Tractatus Theologico-Politicus*) that the individual, before the conclusion of this rational contract, has de jure the right to use at will the violence that is de facto at his [sic] disposal." (Benjamin 1978, p. 278).

<sup>60</sup> (cf. Cocks 2014, p. 37)

<sup>61</sup> (cf. Brown 2017, p. 63)

<sup>62</sup> (cf. *ibid.* p. 91)

<sup>63</sup> (cf. Derrida 2005, p. 75)

<sup>64</sup> I am here drawing from a list that Wendy Brown provides (cf. Brown 2010, p. 34).

<sup>65</sup> (cf. Bodin 1955, p. 24; 46ff)

<sup>66</sup> (cf. Brown 2017, p. 35)

<sup>67</sup> Philosophically, sovereignty describes the ipse (self) of entities that presume self-sufficiency, establishing their own ground (ipseity). Political sovereignty not only stages this hyperbolic self-sufficiency but also operationalises it within a relational framework. Nation-states, the most obvious example, presumably operate through clearly delimited boundaries; in their absence, crises escalate. Remarkably, sovereignty remains one of the few notions intact – due or despite a porosity that I am yet to outline – amidst the dissolution of foundational concepts. The meaning of sovereignty may have

legitimacy over both its discursive purview and its specific location. Even if sovereignty, in its traditional sense, might be waning, it does not seem to be lost<sup>68</sup>. While its applicability and definitional capacity are shifting, its minimal meaning remains unchanged: sovereignty provides grounding within contingency. Whether this grounding is unstable or not remains, so far, peripheral. Bodin, Hobbes, and Rousseau have a clear definition in mind— always permitting Schmitt's either/or: is an agent sovereign or not? Nowadays, the response might be both yes *and* no, without fundamentally altering the role of sovereignty. Thus, ultimately, modern political agency seems to profit from its polysemy or variability<sup>69</sup>.

How to interpret this definitional variance or fluidity? Both Foucault and Derrida, in rapidly moving towards my own premise, provide diverging responses. Foucault, in rejecting reductive readings of power, has famously complained that political thought has heretofore failed to “cut off the head of the king.”<sup>70</sup> In search of a more nuanced methodology for analysing power-relations, Foucault advises against coalescing around sovereignty<sup>71</sup>. For Foucault, sovereignty establishes nothing but a tautological circle where the subject it produces is already predetermined or anticipated<sup>72</sup>. Not only does he reject the aporetic self-referentiality of sovereignty, but he is also convinced that this circularity obstructs an understanding of governmentality, that is, the specific ways in which we are complicit in the perpetuation of power.

This circularity extends beyond the subject, as sovereignty, for Foucault, describes the vanity of approaches that attempt to unify different and more complex aspects of power-relations. These powers, which are rather potentials (*potentia*), are pre-political and nevertheless treated as political objects, removed from actual political confrontation or deliberation: “the theory of sovereignty [...] assumes the existence of

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shifted from the ipse of a monarch to the collective ipseity of a “we” and “they”, yet it retains significant political and, perhaps less visibly, philosophical relevance.

<sup>68</sup> “The fiction of the sovereign state, which lies at the discursive foundation of the contemporary global order, means that the absolute authority of a state –to welcome or expel, to punish or not to punish, to forgive or take revenge, to kill or let kill with impunity, to abandon people or send them to their doom, to rescue these at the expense of those, to destroy in order to build and build in order to destroy– is always presupposed or wished for.” (Ophir 2023, p. 252).

<sup>69</sup> This is a form of agency that has not significantly moved beyond the attempt to balance or direct the relationship between individuals or political communities (cf. Unger 1921, p. 16).

<sup>70</sup> (Foucault 1978, p. 89)

<sup>71</sup> (cf. Foucault 2003, p. 39)

<sup>72</sup> “the theory of sovereignty necessarily tries to establish what I would call a cycle [...], [it] show[s] how a subject –understood as an [...] individual who is naturally endowed (or endowed by nature) with rights, capabilities, and so on– can and must become a subject, this time in the sense of an element that is subjectified in a power relationship.” (ibid. p. 43).

three 'primitive' elements: a subject who has to be subjectified, the unity of the power that has to be founded, and the legitimacy that has to be respected."<sup>73</sup>.

For Foucault, these presuppositions are not mere epistemic errors; rather, they culminate in the absence of a theory of repression throughout the historic discourses I briefly reviewed above. In response to this absence, Foucault suggests abandoning the attempt to distil a notion of power from the understanding of sovereignty and proposes, instead, to extract "operators of domination" from relations of power<sup>74</sup>. These more nuanced power operations, dispersed throughout discursive practices and thus perpetuated in quotidian life, minimise the need for centralised repression<sup>75</sup>. Thus, for Foucault, the search for sovereignty's tautological circularity amounts to posing the wrong –or at least an overtly reductive– question.

For Derrida, as for Heidegger, such circularity does not justify abstaining from continued questioning. "What is decisive is not to get out of the circle, but to get into it in the right way.", as Heidegger notes in §32 of *Being and Time*<sup>76</sup>. While Foucault rejects the aporia of sovereignty, Derrida takes it as a philosophical starting point<sup>77</sup>. Unlike Foucault, Derrida does not necessarily seek to resolve this aporetic dimension, as he considers it a constitutive feature of thought<sup>78</sup>. However, this ontological aporia of language and the political does not imply that there is no ethical, non-deconstructible, or unconditional need to continuously question these foundational features<sup>79</sup>.

Any ontological entity or object is divided, differentiated, or differed. For Derrida, it is thus meaningless to reject a philosophical-political topos due to such fissures. Quite apparently, sovereignty –whether impaired, lost, or waning– continues to

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<sup>73</sup> (ibid. p. 44). Derrida would concur with the question of unity; for him, sovereignty organises: "the hierarchized relations of authority, hegemony, force, [and] power [...] a certain power to give, to make, but also to suspend the law" (Derrida 2011, p. 16).

<sup>74</sup> (ibid. p. 45)

<sup>75</sup> (cf. Cocks 2014, p. 21). "From its inception, politics has assumed different permutations of the sovereign function, from the point of command above the social field to widely dispersed apparatus, from premodern sovereignty to contemporary governmentality." (Edmondson/Mladek 2017, p. 12)

<sup>76</sup> (cf. Sein/Zeit §32). "This sovereignty is a circularity, indeed a sphericity. Sovereignty is round; it is a rounding off [...] or else the form of an identity between the origin and the conclusion" (Derrida 2005, p. 13).

<sup>77</sup> "The aporia is, therefore, destined to remain both the cue to philosophy and the wound it leaves." (Di Cesare 2021, p. 65).

<sup>78</sup> (cf. Derrida 1992, p. 16)

<sup>79</sup> In *Of Grammatology*, Derrida associates sovereignty with presence: "Sovereignty is presence, and the delight in [jouissance] presence." (Derrida 1997, p. 296). One could thus assess much of Derrida's work as the attempt to undermine this sovereignty which is associated with the "metaphysics of presence" (ibid. p. 22). "The thinking of the political has always been a thinking of *différance* and the thinking of *différance* always a thinking of the political" (Derrida 2005, p. 39).

structure political-juridical life, and Derrida insistently marks the constitutive need to deconstruct this “onto-theological” complex, as he terms it<sup>80</sup>.

When Derrida speaks of onto-theology, he employs Heidegger’s division between metaphysics as onto-logic and theo-logic<sup>81</sup>. This kind of unified metaphysics, which, for Heidegger, fails to grasp the ontological difference between Being and beings –whether uncritically or not– conflates theological and ontological reflection<sup>82</sup>. For Derrida, this conflation is symptomatic of sovereignty itself. This implies that a deconstruction of sovereignty, or of the political-juridical complex at large, must remain conscious of these bifold traces<sup>83</sup>.

Schmitt is the last to deny this resemblance; he perceives all modern notions of state theory as secularised theological conceptions<sup>84</sup>. Prior to him, it was Nietzsche who critiqued the political-theological constellation, characterised by the poles of ‘free will’ and ‘moral evil’, around which the political-juridical order stabilises itself<sup>85</sup>. While traditional political sovereignty emerged to presumably recalibrate the division between divine and secular rule, it suffices to assert that this division was not seamlessly successful<sup>86</sup>.

In this constellation, it becomes clearer why I suggest continuing to analyse sovereignty instead of shifting towards a new topos of authority, domination, power, or repression. Sovereignty, apart from its concrete historical-political or political-juridical application, describes an ontological function of discourse –to briefly speak with Foucault– that exceeds questions of power relations. In a Heideggerian sense – although sovereignty is not a part of his lexicon– it concerns the very way beings inhabit

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<sup>80</sup> (cf. Derrida 2011, p. 46). “Many expert commentators on Hobbes, or on Bodin, believe it necessary to insist on the modernity of their concept of sovereignty, insofar as it supposed to be, precisely, emancipated from theology and religion and would supposedly have finally landed on purely human soil, as a political and not a theological concept [...]. But things seem much more complex to me“ (ibid. p. 53).

<sup>81</sup> (cf. Heidegger 1969, p. 70f), which will be cited as Identity/Difference.

<sup>82</sup> (cf. ibid.)

<sup>83</sup> For now, I will refrain from further reviewing Derrida’s extensive reflections on sovereignty, as they, particularly in Chapter I, remain a crucial guide.

<sup>84</sup> (cf. Pol. Theologie, p. 43). “For Schmitt, political sovereignty’s most important theological religious trace materializes in the exception, ‘analogous to the miracle in theology’; for Hobbes, this trace is to be found in sovereign subjects’ absolute submission, obeisance, and awe; and for Bodin, it lies in reverence” (Brown 2017, p. 82).

<sup>85</sup> (cf. Esposito 2015, p. 180)

<sup>86</sup> Even contemporary readings, as suggested above, maintain the continuous relevance of theological violence in questioning sovereignty (cf. Brown 2017, p. 35). For my thesis, this onto-theological legacy will not be a primary concern. For accounts that focus on these features (cf. Esposito 2015); (cf. Ophir 2023).

the world and the means by which they make sense of Being. Beings employ these competing interpretations to assess finitude and stabilise inherently fleeting existence.

For me, the crucial question becomes how to minimise the violence inflicted by these sovereign interpretations –understood in their broadest sense as attempts to *consolidate existence*. However, this can be addressed only once one understands how existential interpretations attempt to consolidate existence through hostility, omission, and suspension. As will become apparent throughout my thesis, the destabilisation of both ontological sovereignty and suspension assists in curtailing such violence and in envisioning alternative means of political articulation.

### **From Ontological Inquiry to Existential Concerns (Or Vice Versa)**

In this brief exposition of the political genealogy of sovereignty, along with a review of a few more contemporary voices that complicate its definition, I have explicitly focused on political thinkers. While consulting Spinoza, Descartes, Kant, and Hegel might yield different perceptions of sovereignty, I consider it pertinent that this conception is closely tied to the development of political thought.

Throughout this thesis, I adopt a philosophical questioning of the political, convinced that this perspective is particularly relevant– both political theory and philosophy tout court are eager to distance themselves from “metaphysical fiction” and doxic politics, respectively<sup>87</sup>. I maintain that a philosophical approach to the political is vital in questioning the unstable foundations of political coexistence while retaining a certain distance from the normative constellations that political thought and its theories often perpetuate<sup>88</sup>.

Sovereignty thus guides not only questions of political existence but also philosophical-political reflection. In this sense, it marks the unstable boundary between the philosophical and the political. While the former can be associated with elliptical or unceasing questioning, the latter requires a more pragmatic –or what Derrida would term conditional– recourse to confrontation or deliberation.

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<sup>87</sup> (Kalyvas 2018, p. 88)

<sup>88</sup> “In one way or another, bare sovereignty (which is, in a way, to transcribe Bataille’s notion of sovereignty) presupposes that one takes a certain distance from the politico-philosophical order and from the realm of ‘political philosophy’. This distance is not taken in order to engage in a depoliticized thinking, but in order to engage in a thinking, the site of which is the very constitution, imagination, and signification of the political, which allows this thinking to retrace its path” (Nancy 2000a, p. 37).

While sovereignty can be reduced to certain characteristics, it simultaneously evades such categorisation, as my initial reference to its polysemy emphasised. No matter which definition is chosen, in its most colloquial sense –at least in political life– sovereignty serves to describe the ‘essence’ of a political community or unit<sup>89</sup>. The necessity of an ontological reading of sovereignty derives from the refusal to regard sovereignty as such a clearly applicable, essentialising conception of political existence.

When the people of a polity think that there indeed *is* something like a polity, what does this conviction imply? Usually, the tendency of political thought is to proceed by theorising and reformulating this understanding. What remains occluded in this tendency is the question of what politics imply, what political life is, and how to draw a line between the metaphysical and the political. In this sense, the thinkers I study engage in what could be termed *ontological politics*. They not only analyse the topos of the political by shedding light on the functioning of sovereignty, but they also prescribe a certain politics that presumably has the potential to confront, deliberate, or deconstruct such a topos.

Conceived this way, sovereignty functions more like an interpretative schema– or, rather, a dominant and decisive *modus* of political existence. In speaking of *modus*, I draw from Heidegger’s implicit differentiation between *modus* and *modality*. Being, understood as finitude or temporality, serves as the overarching *modus* that ontologically determines the *modalisation* of individual existence<sup>90</sup>. Being modalises beings; in other words, it encompasses how beings can exist in certain ways and not others<sup>91</sup>. Political modalities thus describe the means by which beings circumscribe Being and harness these interpretations to gain political traction<sup>92</sup>.

Returning to my initial dictum, modernity –primarily characterised by the attempt to curb existential uncertainty– implies a confrontation of forces. The philosophical-political attempt, at least among the thinkers I compare, lies in administrating,

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<sup>89</sup> “If sovereignty is the grand, political term for defining community (its leader or its essence) that has nothing beyond itself, with no foundation or end but itself, what becomes of sovereignty when it is revealed that it is nothing but a singularly plural spacing?” (ibid. p. 36).

<sup>90</sup> “Beings are a who (existence) or else a what (objective presence [Vorhandenheit] in the broadest sense).” (Heidegger 2010, §9, p. 44), will be cited as Being/Time. (Sein/Zeit §9, p. 45).

<sup>91</sup> (cf. Morin 2015, p. 29)

<sup>92</sup> The relationship between *modus* and *modality*, as I employ it, is productively summarised by Nancy: “It could be said, then, that the ontological togetherness which we must think through is never substantive; it is always the adverb of a being-together. But this adverb is not a predicate of ‘Being’; it brings it to no particular and supplementary qualification. Like all adverbs, it modifies or modalizes the verb, but here modalization is of the essence and of the origin.” (Nancy 2000a, p. 60).

consolidating, or dispersing conflictual or tumultuous existence. This is where the question of sovereignty becomes an ontological inquiry. Heidegger, Schmitt, and Bataille, despite their drastic differences, nevertheless share existential concerns. Existence, whether perceived as oblivious, hostile, or excessive, prompts these thinkers to engage in interpretations that attempt to put an end to differing notions of existential peril.

While they do not pose the question of sovereignty in a uniform manner, all three are convinced that Being, disguised by different names, prompts beings to engage in response to a perceived prevalence. In the face of this, beings must assume agency. My thesis thus examines three disparate, yet related, attempts to arrest, govern, or moderate the modern confluence of forces. It does so by questioning different attempts to respond to ontological sovereignty— that which exceeds ontic sovereignty.

The perspectives of these thinkers are not ‘merely’ supplementary; their comparison also contributes to a substantial complication of what can be considered sovereign. Before addressing this confluence and previewing the following chapters in more detail, I shall briefly examine the schematic ways in which these thinkers conceptualise (political) existence. This enables me to further introduce the titular constellation of ontological sovereignty and the ontology of suspension— the two poles that emerge from my interpretation of Heidegger, Schmitt, and Bataille.

Heidegger is most renowned as the thinker of difference. The ontic-ontological difference is inscribed in –and prescribed by– the structure of his theory. It not only allows him to categorise the history of philosophy but also to denounce attempts that fail to understand the groundbreaking division between Being and beings. While the metaphysics of presence, as Derrida terms them, have failed to theorise Being – perceiving it instead as a constant presence among finite entities– Heidegger attempts to question Being itself<sup>93</sup>. This questioning necessitates an indirect approach, as Heidegger is fully aware that Being can only be questioned via beings. However, in studying his metaphysical lectures, which he suggests as a propaedeutic to *Being and Time*, Heidegger comes close to undermining his usual caution<sup>94</sup>.

Beyond a hermeneutical commentary on the history of metaphysics, these lectures introduce the notion of *Walten (prevailing)*, which Heidegger employs both as a metonym for ontological difference and as a performative term that describes the

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<sup>93</sup> (cf. Derrida 1997, p. 22)

<sup>94</sup> (cf. *Sein/Zeit*, §53; §29; §5)



violence of Being. Throughout his lectures, this term, quite removed from the sober terminology of his opus magnum, provides a more colloquial way into Heidegger's particular understanding of the prevalence of difference. Walten further complicates Heidegger's assessment of that difference, through its decisively sovereign connotations. Ultimately, it suggests a notion of existence where the sovereign and violent prevalence of Being can only be reinterpreted or opposed by beings who understand how to respond resolutely. Heidegger's analysis thus provides the language for conceiving ontological sovereignty, that is, a sovereign modus that exceeds ontic questioning. Specifically, it opens the way for analysing the sovereignty of existence –whether understood as finitude or physis– and how this sovereignty forms, modalises, or shapes beings.

Schmitt, not generally known as an ontological thinker, nevertheless exhibits an acute awareness of how the ontological domain prompts a certain politics. When perceived as a theorist of existence, rather than solely as a politically comprised theoretician, it becomes apparent how he conceptualises a conflictual domain where the ontic sovereign has a very specific task<sup>95</sup>. This task amounts to suspending all impediments to forming a homogeneous political unit, commonly understood as his state of exception<sup>96</sup>. While Heidegger emphasises difference, Schmitt is a thinker of the homogeneous<sup>97</sup>. Schmitt thus supplements Heidegger's ontological language with

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<sup>95</sup> Fascism serves as another framework through which these thinkers could be contextualised. Both Heidegger and Schmitt lastingly compromised themselves through active participation in the NS-regime and private affirmation of its politics. In contrast, Bataille's thought can be considered a form of resistance against fascism and totalitarianism at large. Heidegger and Schmitt both joined the NSDAP in 1933 and were elected to official academic committees. Heidegger also delivered his infamous *Rekoratsrede*, using his position as rector of the University of Freiburg to engage in a crude philosophical defence, or affirmation, of the regime (cf. Heidegger 2000b, p. 107ff); (cf. Jäger 2021, p. 275ff). The debate around Heidegger's antisemitism gained particular prominence after the publication of his *Black Notebooks* (1939-1941), which further complicated Heidegger's attempt to reframe the degree of his involvement (cf. Trawny et. al. 2015). Unlike Heidegger, whether half-heartedly or not, Schmitt never distanced himself from his engagement during these years (cf. Schmitt 2015d, p. 194; 207), which will be cited as *Glossarium*.

Schmitt and Heidegger corresponded only once (cf. Heidegger 2000b, p. 156). For a nuanced and thorough account of their involvements (cf. Strong 2013).

Bataille, on the other hand, dedicates large parts of the *Accursed Share II/III* to reflections on alternative philosophical-political models of coexistence, that do not reproduce the destructive circularity of capitalism: "Nietzsche's position is the only one apart from communism" (Bataille 2017, p. 373), which will be cited as *Accursed Share II/III*. Bataille thus searches for a realm of communal being where the "sovereign subject" is not undermined (cf. *ibid.* p. 411). Nevertheless, particularly in the context of Bataille's engagement with the *Collège de Sociologie*, and his group, *Acéphale*, Benjamin warned against the fascist correspondences that Bataille's practice presumably facilitated (cf. Agamben 2017, p. 95).

<sup>96</sup> (cf. *Pol. Theology*, p. 5)

<sup>97</sup> (cf. Schmitt 2014, p. 118), which will be cited as *Dictatorship*.

a concrete political function: to oppose the prevalence of a hostile world, there is a presumed need for homogeneous political units.

For Schmitt, much hinges on whether these units are sufficiently decisive. His notion of sovereign suspension serves to remove all legal-political obstacles that might impede a unit from forming and assuming its major existential task, namely, to choose a political opponent and to define (or project, as Heidegger would note) oneself through this opposition<sup>98</sup>. Aside from this comparison with Heidegger, already made by Karl Löwith, this might seem like a relatively familiar assessment of Schmitt<sup>99</sup>. However, through Heidegger and Schmitt, I aim to expand the understanding of suspension.

When Schmitt is perceived as an existential thinker –as he himself mockingly suggests– his political-legal theories broaden in scope<sup>100</sup>. His reflections on sovereignty and the analysis of what defines a political community thereby become comments on the different formative procedures that shape political articulation<sup>101</sup>. While Schmitt describes a specific function of the exception or suspension, namely, the stabilisation of a “homogeneous medium” for the rule of law to apply, he implicitly asserts that such a suspension requires continued force to be maintained<sup>102</sup>. Like Heidegger, Schmitt seeks to theorise a context that consolidates unruly forces. This consolidation is based on a unifying understanding of political existence, which coalesces, or gathers, disparate political visions into a shared framework.

In a suspension, otherwise heterogeneous elements become temporarily homogeneous. In ontological terms, suspension describes a predicament where difference coalesces towards identity without suspending difference. For instance, using a diachronic reference, turbid water –a mixture of solid and liquid particles– represents a heterogeneous ensemble that is more homogeneous than its individual parts. During ontological-political formative procedures, a common political imaginary –or more minimally, a single demand– homogenises otherwise disparate political notions. In these cases, individuals find themselves suspended within a larger political horizon.

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<sup>98</sup> (cf. *Sein/Zeit*, §63, p. 312)

<sup>99</sup> (cf. Löwith 2022b)

<sup>100</sup> (cf. *Glossarium*, p. 65; 120; 151; 155)

<sup>101</sup> Understood in its widest sense, as both a question of who (which kind of political entity) and what (what kind of expression and form) (cf. *Sein/Zeit* §9, p. 45)

<sup>102</sup> (*Diktatur*, p. 133f). Schmitt is vocal that in the case of “anarchy” or “chaos”, no regular norm is applicable (cf. *Pol. Theologie*, p. 18). The function of the sovereign decision, at least in the context of Schmitt’s *Dictatorship*, is to perpetuate the basis on –and through– which the rule of law can be (re)applied.

A suspension cannot maintain an ensemble without continuous agitation. Without agitation, a turbid setting fractions into its constitutive elements. This implies that the precarious unification of different elements returns to its initial separation. What has been a contingent convergence of differences into a provisional identity becomes disassembled. Without force, the suspension *disperses*. The maintenance of an ontology of suspension requires force; this force can be considered sovereignty<sup>103</sup>.

While Schmitt is acutely aware of these formative procedures, he underestimates how his notion of sovereign suspension not only perpetuates what he terms the homogeneous but also constitutively relies on heterogeneity. To illustrate this reliance, I refer to Bataille, who not only provides an ontological assessment of heterogeneous political communities that resist homogenisation but also diligently analyses what I have termed ontological sovereignty. Bataille thus bridges an ontological reading of sovereignty with a less compromised notion of political suspension.

In Bataille's reading, the ontological kosmos is composed of a principle of excess. Bataille employs the analogy of the sun –which, for him, represents something that gives without return– to exemplify that existence is inevitably provided with more energy than it needs to sustain itself<sup>104</sup>. Within this setting, which he terms the “general economy”, Bataille proceeds to analyse different political-economical constellations<sup>105</sup>. As any economic logic is situated –and serves– within this larger kosmos of excess, no system of production or political articulation is veritably sovereign for Bataille.

Bataille's major ontological question is how the sovereign domain of excess shapes existence. The central task becomes finding ways to dispel excess that would otherwise accumulate to catastrophic dimensions, inevitably culminating in confrontation or war<sup>106</sup>. In this sense, Bataille perceives political confrontations as designated means for communally and catastrophically dispelling excess. In my view, Bataille thus complements Schmitt's state of exception with a *state of exaltation* that,

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<sup>103</sup> My comparison of Heidegger and Schmitt elucidates this constitutive connection. Heidegger deformalises or destroys traditional ontology but requires the foundational force of Being to unify his efforts at deconstruction. Here, Being is more than that which gives being and death; it is an ordering principle that violently dominates (*Walten*; *ver-waltet*) the philosophical effort. Schmitt, on the other hand, theorises an exceptional decision and illustrates how such decisions suspend the previously (dis)functional political landscape. However, his understanding of the sovereign decision does not serve a suspension in which the precarious unification of differences moves according to its own merit. Rather, the suspending decision resolves what has previously disintegrated: Schmitt's decision resuscitates political authority.

<sup>104</sup> (cf. *Accursed Share I*, p. 23)

<sup>105</sup> (cf. *ibid.* p. 22)

<sup>106</sup> (cf. *ibid.* p. 23ff)

unlike Schmitt –and more akin to Heidegger– engages in *ontological hubris*, attempting to alter the ontological domain. Like Schmitt, Bataille resorts to what he considers sovereign suspension, which ultimately does not destabilise the ontological order but may succeed in finding less catastrophic means of addressing ontological excess.

Bataille’s complication of ontological suspension, unlike Schmitt’s, recognises that suspension is inherently fragile and will eventually culminate in nothing but a dispersal, in the failure to lastingly obstruct what it seeks to undermine. In this sense, Bataille demonstrates how the disintegration of the unity achieved through suspension –how the collapse of ontic sovereign attempts to contain excessive forces– exposes a shared ontological condition.

This constellation clarifies both ontological sovereignty and the ontology of suspension. The confluence of Heidegger, Bataille, and Schmitt thus stresses the limits of sovereignty without merely gesturing towards its inapplicable tautologies. It suggests that sovereignty exceeds questions of political agency or form, determining not only problems of existential self-interpretation but also the virulent question of how one perceives existence at large. Much like Heidegger suggests, both inquiries are not separable, with one shaping the other.

In the face of existential crises –whether perceived as a play of forces or not– the question is not solely what kind of sovereign formations shape quotidian life, but also how these forms are themselves structured by an ontology that largely exceeds their ontic purview<sup>107</sup>. Comparing Heidegger, Schmitt, and Bataille stresses this dynamic. It exemplifies the fragile contingency of political forms and the need to envision these forms as a response to, or a questioning of, existence.

These thinkers, far from starting from a shared premise, nevertheless understand the role of sovereign articulation in the consolidation of existence, finitude, or excess. It is through their omissions, which become particularly apparent when they are compared through the register of sovereignty, that one understands the relevance of studying the disintegration of sovereignty: as it reveals shared finitude and a notion of relation that withstands ontic efforts to disguise it<sup>108</sup>. These forms of disguise operate via ontic closure (another term for Schmitt’s homogeneity), namely, a self-contained or self-grounding interpretative framework. It is the constellation of *ontological sovereignty* and the *ontology of suspension* that describes the impossibility of

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<sup>107</sup> This is due to their *Seinsvergessenheit*, as Heidegger would note.

<sup>108</sup> “The essence of Being as being-finite is inscribed by finitude a priori as the sharing of singularities.” (Nancy 1991a, p. 28).

achieving ontological closure and the attempts to reground –against a sense of groundlessness– politically resolute individuals, units, or communities.

In this sense, I do not propose abandoning the traditional perceptions of sovereignty, neither do I reject the more contemporary insistence on its polysemy. Rather, I suggest shifting the topos from questions of political-legal applicability or hegemonic confrontations to existential-ontological concerns. Only such a shift allows thinking through the ways in which questions of political form and non-political coexistence are tied to the prevalence of finite existence.

### **Heidegger, Schmitt, and Bataille. An Outlook**

Chapter I addresses Heidegger's notion of *Walten* –translated as *prevailing* or *holding sway*– and its relationship to existence, ontological difference, and sovereignty. It traces *Walten*'s conceptual development across his *Introduction to Metaphysics*, *The Fundamental Concepts of Metaphysics*, *Being and Time*, and *Identity and Difference*.

The chapter questions how Heidegger employs *Walten* to describe a conflictual and violent modus that not only shapes existence but also serves as its ontological outset. Heidegger describes *Walten* as a force coterminous with physis or 'nature' that engulfs existence. This allows him to circumscribe Being without committing what he perceives as a principal philosophical error– namely, the attempt to approach Being directly or perceive it as present. Thus, *Walten* enables Heidegger to employ his ontological difference within a more metaphysically grounded context.

Heidegger situates his interpretation in a reading that oscillates between Heraclitus and Aristotle, merging some of their metaphysical principles –Heraclitus's notion of *polemos* and Aristotle's prime mover– into an ontological framework that maintains autonomous self-movement within Being. Heidegger thereby complicates traditional notions of physis, suggesting a conflictual horizon that shapes existence.

The chapter proceeds by interpreting the conceptual relation between *Walten* and *Being and Time*'s *Entschlossenheit* (*resoluteness*), stressing that Heidegger assigns ontological weight only to resolute Beings who, by acknowledging their finitude and decisively projecting their existence, can confront the violent prevalence of the world. Only this kind of resolute confrontation allows beings to shape their existence in light of physis or Being. Heidegger employs *Walten* to propose both a metaphysical framework and an existential demand, thereby aligning an existential notion of sovereignty with the need for subjective self-formation.

Chapter I thus concludes by relating *Walten* to *Entschlossenheit*, stressing that Heidegger (problematically) perceives an exceptional few as capable of decisively administrating, governing, or responding to Being's violent sway. This notion of ontological sovereignty is further developed in Chapter IV, where I outline how the sway of existence prompts beings to contingently consolidate or ground their existence. Ultimately, Chapter I provides both the setting and the language within which ontological sovereignty can be studied.

Chapter II interprets Schmitt's methodology as existentially formalist. Schmitt stresses that the political results from decisive authority, which structures existence by forming clear associations and dissociations –most prominently between enemies and friends. Schmitt's existential formalism, distinct from the notion of autonomy of form, is most accurately depicted by his insistence on decisive political form, as opposed to political formlessness or dispersal. For Schmitt, political forms are decisive as long as they manage to respond to the existential crises of their times.

It is Schmitt's sovereign decision on the exception that Chapter II employs to theorise a broader notion of ontological suspension. In its traditional sense, Schmitt's sovereign decision introduces a state of exception that facilitates the suspension of the conventional rule of law, thereby enabling the reformation of political structures and ultimately providing what Schmitt perceives as a homogeneous medium necessary for political existence.

His theory never advocates for revolutionary transformation but suggests that relevant political shifts occur only through the sovereign's ability to suspend and thereby reformulate existing political structures. Schmitt views political survival as contingent on homogeneity; heterogeneity and dispersal, corresponding with indecisive form, result in political –and by extension, existential– disintegration.

Unlike Heidegger, whose theory allows for multiple projections or drafts of existence, Schmitt's framework of existential consolidation –his notion of ontological sovereignty– presents only two possible outcomes: survival or extinction. Schmitt's sovereign, whether singular or collective, is responsible for maintaining political unity through authoritative decisions, ensuring existential continuity. Chapter II concludes by suggesting that Schmitt omits the other potential of ontological suspension –dispersal– and instead emphasises the need for homogeneity in political life.

Chapter III contrasts Schmitt's state of exception with Bataille's state of exaltation. Bataille's notion of existence is inherently excessive, where beings exist in

a condition of exuberance that always treads on the brink of destruction if surplus energy is not properly discharged. Unlike Schmitt's sovereignty, which is intended to restore or found anew the political order through exceptional measures, Bataille's notion of sovereignty corresponds with exaltation— an explosive potential that challenges conventional forms of sovereign agency.

Bataille begins by critiquing the servile sovereign, who serves within a utilitarian economy, stressing that veritable sovereignty inevitably lies beyond utility. Nevertheless, he maintains that there is some 'use' in such 'uselessness' as the sovereign task can potentially focus on the most pressing ontological concern: how to expend excess. Bataille therefore does not fully reject sovereignty but reimagines it in a form that temporarily suspends destruction while remaining linked to the logic of excess.

The chapter then examines ontological hubris, where sacrifice becomes a way of handling surplus energy. Sacrifice, while acknowledging the destructive logic of production, does not transcend sovereign authority but instead affirms the necessity of expenditure within the general economy. Bataille's suspension, termed hubris, is discussed as a means to prevent catastrophic destruction by redirecting excess energy into less violent outlets. Still, this suspension is temporary and ultimately bows to the political economy's servility within a domain of destruction.

Bataille's critique suggests that even in rethinking sovereignty, the notion remains inextricably linked to power, excess, and violence. His conceptions of sacrifice and suspension grant a fleeting alternative to the catastrophic consequences of accumulation but do not escape the sovereign dynamic. However, unlike Schmitt, Bataille proposes a fragile notion of communal grounding, emphasising its inherent limitations. Chapter III concludes by previewing how Bataille's hubris interacts with Heidegger's ontological sovereignty and Schmitt's homogenising suspension, arguing for a philosophy of the political that engages with, rather than rejects, the tautologies of sovereignty.

Chapter IV presents ontological sovereignty as the force that sustains provisional political and social foundations within an existence without transcendental grounding. This sovereignty operates through an ontology of suspension, whereby beings confront and construct meaning through contingent and temporary structures. Drawing on Heidegger, Schmitt, and Bataille, the chapter suggests that sovereignty's

role is inherently unstable, relying on existential strategies to resist the violent sway of existence.

Heidegger's *Walten* highlights how beings are thrown into a world of conflict, with a decisive few individuals capable of confronting this force. Schmitt's theory prioritises the sovereign decision, where suspension becomes a tool for maintaining political unity, resisting depoliticisation, and sustaining normative order. In contrast, Bataille conceptualises excess as the driving force of existence, arguing that heterogeneous communities form to dissipate this excess, diverging from Schmitt's homogenising framework.

The chapter introduces the notion of suspension as a supplemental response to this instability, wherein sovereign force maintains fragile unity in the face of dispersal. Dispersal and cohesion are two modalities of suspension, and the political decision to prioritise one over the other becomes decisive in stabilising interpretations of the political and the communal. The emphasis on dispersal challenges traditional political frameworks based on unity and decisionism.

Ultimately, the failure of sovereignty exposes an ontological premise: that finite coexistence remains constant even as sovereign structures disintegrate. In line with Bataille's 'useless utility' of sovereignty, dispersal exposes the shared finitude of beings, offering an alternative way of conceptualising communal existence that does not rely on force or hegemonic interpretations<sup>109</sup>. Through the collapse of sovereign structures, Chapter IV concludes by arguing for a reconception of political and communal existence that emphasises finitude and relationality over stability and unity.

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<sup>109</sup> (cf. *Accursed Share I*, p. 13)



## 1. Waltende Differenz, Prevailing Difference. Heidegger

I believe you are all [...] relatives and fellow citizens by nature [φύσις], not by law; for by nature like is akin to like, but law is a tyrant of mankind and forces many things contrary to nature. Now, it would be shameful in us to know the nature of things and yet  
Plato, Protagoras, 337d-c

φύσις loves to hide  
Heraclitus, Fragments, X, D. 123, M. 8

This chapter questions what I will later term ontological sovereignty, as it can be traced through Heidegger's metaphysical lectures and the modality of *Entschlossenheit* (resoluteness) in *Being and Time*. Heidegger introduces *Walten* (prevailing) as a means to assess, and contain, the ontological difference. Through this framework, decisive beings have the capacity to confront his greatest concern: *Seinsvergessenheit* (the oblivion of Being).

These developments are evident in Heidegger's 1929/30 lectures *Die Grundbegriffe der Metaphysik* (*The Fundamental Concepts of Metaphysics*), the 1935 lectures *Einführung in die Metaphysik* (*Introduction to Metaphysics*), and 1957's *Identität und Differenz* (*Identity and Difference*). While existing literature has addressed many of these elements in isolation, work is yet to be done in connecting these traces across the trajectory of Heidegger's lectures<sup>110</sup>. To this end, I focus on the notion of *Walten*, which gains particular prominence in his extensive reflections on metaphysics. Translated as *prevailing* or *holding sway*, *Walten* circumscribes the conflictual and

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<sup>110</sup> Derrida's last seminar, *The Beast and the Sovereign*, recurrently focuses on Heidegger's *Walten*, comparing it to sovereignty: "Walten is dominant, governing power, as self-formed sovereignty, as autonomous, autarchic force, commanding and forming itself". This power, according to Derrida's reading of Heidegger, permeates beings who are: "seized, gripped, durchwaltet by the Gewalt [violence] of this Walten" (ibid. p. 39f). Furthermore, Derrida aligns *Walten* with ontological difference, a trace my reading will follow (cf. ibid. 256; 288). Gregory Fried's *Heidegger's Polemos: From Being to Politics* interprets Heidegger's assessment of Heraclitus's *polemos* as indicative of a broader ontological framework that shapes Heidegger's work. As Fried argues, Heidegger's confrontation (*Aus-einander-setzung*) must be understood as: "an interpretative struggle with the meaning of the world— and with the meaning of Being itself." (Fried 2000, p. 4). The hermeneutic constitution of human existence demands a confrontation with its own historical grounding, shaped by *polemos*, and this must be negotiated through both reconstruction and deconstruction (cf. ibid. p. 42; 246). Paul North's *The Problem of Distraction* focuses on Heidegger's conception of dissipation, or *Zerstreuung*, which, according to North, serves as the "fundament of fundamental ontology" (North 2012, p. 112). Being disperses itself as time, and, as North suggests, Heidegger's philosophy attempts reorienting us towards this originary dispersal. Complementing this chapter's discussion of *Walten*, North identifies *Zerstreuung* as both a "structural dispersal" and a "hermeneutic dissipation" (ibid. p. 121).

violent movement that shapes existence or, more precisely, physis itself. Heidegger's contemplation of originary (*ursprüngliche*) ontological modalities is informed by this term, which he employs through interpretations of Aristotle's conceptions of movement and time, alongside Heraclitus's notions of physis and polemos. Given Heidegger's decisive legacy of *Destruktion*, this form of metaphysical inquiry might seem anachronistic. However, it is precisely his theoretical insistence that cautions against prematurely dismissing metaphysics, urging a reconsideration of the decisive elements that shape existence<sup>111</sup>.

As Walten concerns the ontological setting through which beings are perpetuated and within which they respond to physis, I complement my analysis of Heidegger's metaphysical context with an interpretation of §62 of *Sein und Zeit*, where he discusses what he terms *existential modalisation*. This modalisation refers to how Being conditions beings, implying that beings are shaped in such a way that –provided they muster sufficient resolve– they may confront the violent sway of the world. My colloquial reference to a destabilisation of ontological difference thus concerns Heidegger's insistence on a modus of difference that suggests asymmetry: only the resolve of the decisive few matters. I interpret this as formally indicative of an ontological notion of sovereignty, where the prevalence of Being is primarily confronted by resolute beings<sup>112</sup>.

Such a constellation allows Heidegger to propose a form of sovereign self-formation that avoids sovereignty's primary tautology: a being enclosed within the perpetual circle of self-relation<sup>113</sup>. In a perhaps sovereign manner, Being allows beings to be<sup>114</sup>.

This resonates with the broader theme of my thesis: how does the suspension of transcendental grounding relate to the reconstruction of conceptual restraint? Moreover, how does this suspension correspond to the notion of ontological sovereignty? In Heidegger's case, this inquiry can be distilled to the following: how does he conceive of decisive resolve in confronting the violent sway of physis?

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<sup>111</sup> In the following pages, Heidegger's comments on metaphysics will be treated as metaphysical commentary rather than as a metaphysical critique, which, through its *Destruktion*, establishes a non-metaphysical dictum.

<sup>112</sup> This involves a sovereign setting (Being) in which a particular form of Dasein is perpetuated, raising questions such as: What does it mean for a setting (*Setzendes*) to prevail through the set, the posited (*Gesetztes*)? How does Heidegger's resoluteness prevail through Being in a way that shapes beings?

<sup>113</sup> (cf. Morin 2015, p. 29)

<sup>114</sup> (cf. *ibid.* p. 25)

While my interpretation is neither an exegetical commentary nor a hermeneutical attempt, I should clarify that I do not align with the common assessment of Heidegger's voluntarism as a fleeting interpretative epoch, reducible to his infamous wartime engagement and supposedly resolved by the post-war turn (Kehre) of 1947's *Letter on Humanism*. Traces of Heidegger's Walten, and thus of his voluntarism, can be observed at least until 1957's *Identity and Difference*<sup>115</sup>.

As a prelude, I address the lexical status of Walten and briefly reflect on its translation. Section I then focuses on Walten's conceptual development and its metonymic relationship to ontological difference. I propose that Walten not only encompasses the distinction between Being and beings but also plays a crucial role in addressing the question of ontological or structural origination. Moreover, Heidegger's Walten exemplifies the originating sway of physis, which should no longer be translated as 'nature' but more accurately as growth. The prevalence of physis marks a dominant, violent modus, suggesting a notion of self-formation or sovereignty within a violent context. Thus, Walten can be interpreted as a framework within which ontological inquiry prompts a sovereign ontic response. This section then concludes by outlining the conceptual dimensions of such a sovereign modus and modality.

In Section II, I reconstruct Heidegger's broader metaphysical trajectory, shaped by the discrepancies and shared terrain of Heraclitus and Aristotle. As Heidegger's lectures progress, it becomes evident that the distinction between pre- and post-Socratic metaphysics informs his ontological interpretation of Walten. For Heidegger, Heraclitus's polemos suggests a conflictual ontological realm. In contrast, Heidegger's interpretation of Aristotle, dissatisfied with Heraclitus's conflictual sway, seeks to contain it within the authoritative command of a unified metaphysical agent—the prime mover. Heidegger's Walten is informed by both perspectives, positioning him in an intermediate stance that transcendently validates conflictual existence. While Being becomes synonymous with a conflictual opening, beings are thrown (geworfen) into this conflictual state. As Section II concludes, Heidegger not only embraces the Heraclitean polemos as an incipient ontological event but, through a deconstruction of Aristotle, assigns an ontological telos otherwise absent from the pre-Socratic tradition.

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<sup>115</sup> In the English-speaking world, the distinction between the early and late Heidegger was established by Richardson's *Heidegger, Through Phenomenology to Thought* (cf. Richardson 1993). In spite of his own tendencies, voluntarism represents a risk against which Heidegger repeatedly cautions, namely, the risk of interpreting fundamental ontology anthropologically or through a specific worldview (weltanschaulich) (cf. Heidegger GA65, p. 283). However, this restriction does not necessarily extend to Heidegger's own politics, which I will largely refrain from discussing.

Section III interprets Heidegger's notion of existential modalisation as outlined in §62 of *Sein and Zeit* and in parts of his 1936-1940 *Nietzsche* lectures. Modalisation refers to Heidegger's analysis of how Being, as the ontological modus, shapes or modalises beings. Through *Entschlossenheit* (resoluteness), beings are called to decisively affirm their finitude and project (*entwerfen*) their existence. They are called to recognise the vacant ground or nullity that Being represents –as it is merely the setting for beings– and to envision an existence that does not confront this vacancy with 'mere' common sense, obliviousness, or forgetfulness. Based on my analysis of Heidegger's *Walten*, I argue that Being, as a modus, is less indeterminate than *Being and Time* suggests. Consequently, Heidegger calls for a decisive stance in the face of the violent prevalence of Being. Only this stance enables certain beings to throw "the counterweight of their work" against an "overwhelming sway", as Heidegger notes<sup>116</sup>. I conclude this section by invoking my notion of ontological sovereignty, emphasising the conceptual proximity between Heidegger's *Walten* and *Entschlossenheit*. This proximity suggests a form of sovereignty in which resolute beings confront and actively shape the violent sway of existence.

### **Lexical Prelude**

The *Cambridge Heidegger Lexicon* defines *Walten* or prevailing as:

the self-moving power bestowed by being onto entities. Through the power of this prevailing, entities are able to come to be as themselves. As the force which takes hold between being and entities, prevailing thus serves as a significant element in Heidegger's later conception of ontological difference<sup>117</sup>.

Although it may initially seem counterintuitive to evaluate Heidegger, the philosopher of *Destruktion*, within the confines of a lexicological framework, I will begin with a definition of *Walten* (prevailing) to clarify the term. As is often the case with definitions, this approach risks missing the metonymic breadth of a term central to a philosophy that consistently rejects reducing language to mere logical utility. Nevertheless, it will prove decisive that the definition not only perceives *Walten* as a: "significant element

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<sup>116</sup> (Heidegger 2000a, p. 65)

<sup>117</sup> (Knowles 2021, p. 163)

in Heidegger's later conception of ontological difference.", but also ties it to self-movement<sup>118</sup>.

At first glance, the "self-moving power" of an entity aligns with one of the traditional notions of sovereign agency: the ability to act unimpeded or undirected by external forces<sup>119</sup>. This form of self-referential governance operates within its own domain, moves autonomously. In a political context, this conception aligns with the standard view of sovereign imposition, where sovereignty implies indivisibility and the absence of external consultation or influence. As Carl Schmitt contends, sovereignty is most clearly demonstrated in the state of exception, a condition that magnifies or propels this self-sufficiency<sup>120</sup>.

Heidegger's *Walten* inscribes an exceptionally sovereign sway within physis itself. As I will discuss further, he interprets physis (φύσις) as the "prevailing of beings as a whole [das Walten des Seienden im Ganzen]"<sup>121</sup>. His translation departs from the conventional rendering of φύσις as 'nature', which suggests a more static or substantiating understanding of the 'natural'. Instead, Heidegger reinterprets physis as growth, connecting it to his differential account of the relationship between Being and beings. This is not merely a semantic shift but a conceptual realignment. Heidegger situates physis as a dynamic, originary force characterised by its self-unfolding and emerging 'nature'. It is within this sense of growth that Heidegger aligns *Walten* with physis. Here, *Walten* represent not merely governance but the ontological primacy of this very growth, a sway that prevails through beings while simultaneously shaping their ontological horizon.

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<sup>118</sup> (ibid.)

<sup>119</sup> *Energeia* (actuality) and *dynamis* (potentiality), if one seeks to define sovereignty via an Aristotelian framework, must be unified within an *entelechy*— the culmination or realisation of both potentiality and actuality as a coherent whole. This self-sufficient link between *energeia* and *dynamis* precedes any notion of decision in Aristotle's thought. The absence of such unity, without the internal 'soul' or principle that unites them, leads to what Aristotle terms "equivocality" (Aristotle 1986, 212b). Thus, for Aristotle, the absence of such unity creates ambiguity between what can be and what is.

<sup>120</sup> Not every entity moves autonomously (cf. Schmitt 2015a, p. 13). The notion of autonomous movement is inherently aporetic: "By ipseity I thus wish to suggest some 'I can', or at the very least the power that gives itself its own law, its force of law, its self-representation" (Derrida 2005, p. 11). The aporia of this self-referential logic does not diminish the conceptual appeal of sovereignty. Rather, it raises the question of how one engages with such an aporetic circularity, an issue Heidegger alludes to in *Being and Time* (Heidegger 2010, p. 148). Sovereignty, understood in this aporetic sense, challenges the conventional separation between potentiality and actuality by asserting a self-enclosed authority, a concept that is both sustained and questioned through the frameworks of Derrida and Heidegger.

<sup>121</sup> (Heidegger 1995, p. 25), which will be cited as *Fundamental Concepts*. (Heidegger 2018, p. 38), which will be cited as *Grundbegriffe*.

To think through *Walten* implies engaging with a *modus* and a *modality* that precedes and, in some respects, surpasses ontological division or differentiation. As I will detail below, while *Walten* operates within the sphere of differentiation, it also compels one to consider the preconditions that both anticipate and disrupt difference itself. This duality is central to *Walten's* role as an ontological force, as it governs the unfolding of beings within differentiation, while simultaneously challenging the stability of the very boundaries it establishes. In this way, *Walten* introduces a tension between the establishment of ontological divisions and the disruptive forces that exceed them, compelling reflection on both the 'origin' and the limitations of differentiation.

In this context, *Walten* can be understood as an event— an originary occurrence that both compels and constrains a form of differential unfolding. It invokes a sovereign sway that actively shapes and configures the conditions for differentiation<sup>122</sup>. The question then becomes: What is this primordial event summoned by *Walten*<sup>123</sup>? What kind of differential posture does it envision or facilitate, and in what ways does it impose constraints on how Being itself differentiates and unfolds?

## I. The Sway of Beings

*Walten* closely aligns with *Gewalt* (violence). Translations that render it as 'governing', 'ruling', or 'power' neglect its violent connotations. In *The Beast and the Sovereign*, Derrida highlights the recurring presence of *Walten* in Heidegger's work and critiques its French translations for reducing the term to "neutrality" and "non-violence"<sup>124</sup>. Derrida suggests that these translations diminish the force of *Walten's* violent undertones. A passage from *Introduction to Metaphysics* exemplifies the difficulties in conveying the full weight of Heidegger's *Walten*:

Wie soll der Mensch das ihn Durchwaltende, auf Grund dessen er selbst als Mensch überhaupt *sein* kann, je erfinden?<sup>125</sup>

How could man ever have invented the power which pervades him, which alone enables him to *be* a man?<sup>126</sup>

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<sup>122</sup> This raises questions about how *Walten* governs not only beings but also the very structures underlying Being— those conditions that simultaneously generate and destabilise ontological divisions.

<sup>123</sup> "an analysis of what makes an event possible —however indispensable it may continue to be [...]— will never tell us anything about the event itself." (Derrida 2020a, p. 18).

<sup>124</sup> (Derrida 2017, p. 32)

<sup>125</sup> (Heidegger 1998a, p. 120), which will be cited as *Einführung*.

<sup>126</sup> (Heidegger 1976, p. 156)

How is humanity ever supposed to have invented that which pervades it in its sway, due to which humanity itself can *be* as humanity in the first place?<sup>127</sup>

The first translation, aside from its reductive translation of the collective Mensch (human), selects “power”, denoting a pervasive force. The second, more recent translation, opts for “sway” as a more accurate rendering of (Durch-)Walten. On closer inspection, “holding sway” better captures the subtleties of Walten. By contrast, “power” is misleading, particularly since the German language offers multiple terms – Macht, Vermögen, Kraft– to express distinct aspects of power. Thus, “sway” remains the more suitable option.

The term “prevailing”, linked to the Latin *valere*, introduces a more nuanced understanding of power. Furthermore, *prae-valere* suggests a temporal priority, aligning more closely with the metaphysical nuances of Heidegger’s *Walten*<sup>128</sup>. I will use *prevailing* and *holding sway* interchangeably to convey the polysemy of the term. With this context in mind, I now turn to the second translation of Heidegger’s text: “How is humanity ever supposed to have invented that which pervades it in its sway, due to which humanity itself can *be* as humanity in the first place?<sup>129</sup>”.

In line with my earlier question, Heidegger’s inquiry could be interpreted as follows: how can one conceptualise a notion of sovereignty that fundamentally lacks a referent? For Heidegger, Walten proposes two possible interpretative strategies. First, it can be understood as a form of prevailing that primarily concerns beings, shaping their existence and situating them within the broader ontological framework. This interpretation describes Walten as a force or sway that governs the Being of beings without referencing an ‘external’ authority:

In the age of the first and definitive unfolding of Western philosophy among the Greeks, when questioning about beings as such and as a whole received its true inception, beings were called *physis* [*physis*, φύσις]. This fundamental Greek word for beings is usually translated as “nature” [...]. Now what does the word *physis* say? It says what emerges from itself (for example, the emergence,

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<sup>127</sup> (Introduction, p. 167)

<sup>128</sup> In reading Aquinas or Kierkegaard, one might be struck by the presence of another form of Walten—the emphasis on love’s prevailing force. This highlights the polysemy of Walten and its broad application across different registers. It is perhaps unsurprising that a “rule of love” prevails within the realm of faith, given Walten’s profound theological underpinnings (cf. Aquinas 1885, XLVI); (cf. Kierkegaard 1890). Yet, one might ask whether this form of love, while distinct in its manifestation, is not also shaped by a certain kind of violence.

<sup>129</sup> (Einführung, p. 167)

the blossoming, of a rose), the unfolding that opens itself up, the coming-into-appearance in such unfolding, and holding itself and persisting in appearance—in short, the emerging-abiding sway<sup>130</sup>.

This passage presents a decisive reinterpretation of φύσις. As Derrida observes in his reflection on Walten, φύσις is “not yet objective nature”<sup>131</sup>. Heidegger opposes the Latin translation of physis as natura, arguing that this shift fails to capture the continuous, dynamic unfolding of growth that physis represents<sup>132</sup>. For Heidegger, physis should not be viewed as nature in the static or objective sense, but rather as an incessant, self-generating process of growth. This “first and definitive unfolding” can be traced back to the pre-Socratic thinkers, where growth, or physis, is not simply a stage within a process, but the process—or procedurality— itself<sup>133</sup>.

In this re-reading, physis becomes an “emerging-abiding sway [aufgehend-verweilende(s) Walten]”, stressing the procedurality of existence<sup>134</sup>. Heidegger’s notion of Walten as ‘pure’ emergence emphasises that everything comes into being and exists within this appearing. Thus, physis can no longer be interpreted as a stable, foundational concept of ‘nature’. Rather, it represents a continuous, self-forming process that Heidegger aligns with growth (Wachstum). This shift underscores his insistence on focusing on the procedural dynamics of physis, where Walten serves as the schematic representation of this originary process of processes, or proto-procedure.

Physis thus becomes a procedural nexus of growth, akin to an ecstatic horizon where beings both exist and are brought forth. If one accepts this interpretation, it introduces significant implications for Heidegger’s elusive notion of Being, leading to Walten’s second interpretative direction:

We shall now translate φύσις more clearly and closer to the originally intended sense [ursprünglich gemeinter Sinn] not so much by growth, but by the 'self-forming prevailing of beings as a whole [sich selbst bildendes Walten des Seienden im Ganzen]'. [...] We must bring this quite broad concept of φύσις closer to us in order to understand this word in that meaning in which the philosophers of antiquity used it, who are wrongly called 'philosophers of nature'.

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<sup>130</sup> Strictly speaking, the translation of phuein (growth) refers to the verbal noun, while physis itself might be better understood as the horizon of such growth. Heidegger speaks of “emerging [Aufgehen]”, and “emerging sway [aufgehendes Walten]“, (Introduction, p. 15); (Einführung, p. 11).

<sup>131</sup> (Derrida 2017, p. 12)

<sup>132</sup> (ibid.)

<sup>133</sup> (Introduction, p. 15)

<sup>134</sup> (Introduction, p. 14f); (Einführung, p. 11)



[...] that which prevails, beings, beings as a whole. I emphasise once more that φύσις as beings as a whole is not meant in the modern, late sense of nature, as the conceptual counterpart to history for instance. Rather it is intended more originally than both [ursprünglicher als beide Begriffe] of these concepts, in an originary meaning [ursprüngliche Bedeutung] which, prior to nature and history, encompasses both, and even in a certain way includes divine beings<sup>135</sup>.

The “originary meaning” of physis, predating the metaphysical separation between the historical and natural, the profane and divine, consists entirely in constant flux<sup>136</sup>. This self-forming (selbst bildend) prevalence encompasses all beings and aligns closely with Heidegger’s notion of Being, which never exists as a static presence but only as the setting in which beings come into existence. The fluidity of a self-forming whole, composed of its parts but without becoming a totality or substance (essentia), comes with a conceptual repercussion: it derives entirely from the primordial quality of physis. In the referenced passage, Heidegger repeatedly emphasises this originary quality (Ursprünglichkeit), stressing the absolute primacy of φύσις as the grounding force for all beings, without solidifying into a fixed essence.

What is the metaphysical context of these claims to origination<sup>137</sup>? Heidegger implicitly stresses his alignment with the pre-Socratics, who should not be mistaken for mere “philosophers of nature.”<sup>138</sup>. His preference for the pre-Socratics derives from the conviction that they still had the capacity to think Being in its originating sense— a capacity that was presumably lost in later philosophy. The processes of nature and φύσις are not interchangeable. For Heidegger, it would be a conceptual error to conflate the two within the same framework. This reinterpretation of nature aside, the question remains: how does φύσις prevail?

physis [φύσις], the emerging sway [das aufgehende Walten], is not synonymous with these processes, which we still today count as part of ‘nature.’ This emerging and standing-out-in-itself-from-itself may not be taken as just one

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<sup>135</sup> (Fundamental Concepts, p. 25f); (Grundbegriffe, p. 38f)

<sup>136</sup> (ibid.)

<sup>137</sup> Metaphysics, according to the “originary meaning” as invoked by Heidegger, must focus on physis. Heidegger thus submits that metaphysical thought contemplates a pre-differential state, where pre-difference exists within that which generates difference itself. The “self-forming prevailing of beings as a whole” is not merely the sum of distinct processes of formation and growth; there appears to be something that unites and governs these processes within a larger prevailing sway (Fundamental Concepts, p. 25f); (Grundbegriffe, p. 38f).

<sup>138</sup> (ibid.)

process [Vorgang] among others that we observe in beings. Physis is Being itself, by virtue of which beings first become and remain observable<sup>139</sup>.

Walten and Being as φύσις are, for Heidegger, closely intertwined, with φύσις exerting a primary influence. The common understanding of 'nature' obstructs an integral understanding of Walten. Ontologically, Heidegger is not merely addressing one "process among others", but rather, his Vor-gang indicates a foundational step preceding all further movement. The procedural aspect of emergence prevails here, shaping both the observer and the observed. In this way, Being manifests its procedural horizon through beings.

Both Heidegger's *Introduction to Metaphysics* and *The Fundamental Concepts of Metaphysics* share a conceptual emphasis on the ontologically privileged position of φύσις. First, it is considered the totality of beings, and second, it is identified as Being itself<sup>140</sup>. In both lectures, Heidegger's Walten illustrates the singularity of all ontological processes. It implies a Vorgang without Vorgänger, but also without Vorgehendem— a process without precedent defined solely by its procedurality. Walten, or prevailing, is equated with physis, which not only contains but also delimits difference.

The procedurality of φύσις eludes its own governance, rendering growth a self-sustaining performance without any dependence on prior iterations. No 'external' agency precedes this procedural emergence. Heidegger refrains from suggesting this kind of Walten as an Idea or a positive infinity beyond sensory experience. His notion of physis avoids any divine reference.

Several years after his metaphysical lectures, Heidegger emphasised in *Identity and Difference* that difference itself cannot be questioned, as it perpetually differentiates<sup>141</sup>. Consequently, it is inadequate to simply question difference. Until this point, his metaphysical lectures examined a modus and a performance that governs without being subject to governance<sup>142</sup>. This describes both the "structural dispersal" of Being into beings and the "hermeneutic dissipation" shaping their horizon<sup>143</sup>. Like

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<sup>139</sup> (Introduction, p. 15); (Einführung, p. 11)

<sup>140</sup> φύσις as the essentiality (Wesenheit) of Being, its οὐσία (ousia).

<sup>141</sup> (Heidegger GA11, p. 69), which will be cited as Identität/Differenz.

<sup>142</sup> As previously outlined, the notion of Walten and its associated translations evoke several connotations, involving force or violence. This polysemy is vital for understanding the role Heidegger assigns to Walten, it serves a performative function within his theoretical structure. Heidegger's notion of ontological difference is not passively descriptive; it asserts itself actively. Walten reflects this active, administrative force; it prevails, with (Ver-)Waltung governing difference.

<sup>143</sup> (North 2012, p. 121)

ontological difference, Heidegger's notion of *Walten* can be understood as a spatial and temporal outset that shapes existence.

In *The Fundamental Concepts of Metaphysics*, Heidegger notes parenthetically that, "initially", metaphysics encompassed all of ontology, which was, simultaneously, theology<sup>144</sup>. In *Identity and Difference*, he provides a more thorough analysis of the different orders of ontological origination:

Because Being appears as ground, beings are what is grounded; the highest being, however, is what accounts in the sense of giving the first cause. When metaphysics thinks of beings with respect to the ground that is common to all beings as such, then it is logic as onto-logic. When metaphysics thinks of beings as such as a whole [Seiendes als solches im Ganzen], that is, with respect to the highest being which accounts for everything, then it is logic as theo-logic. Because the thinking of metaphysics remains involved in the difference which as such is unthought, metaphysics is both ontology and theology in a unified way, by virtue of the unifying unity of perdurance [Austrag, also translated as "disposition"<sup>145</sup>]. The onto-theological constitution of metaphysics stems from the prevalence of that difference [dem *Walten* der Differenz]<sup>146</sup>.

Apart from contextualising metaphysics itself, Heidegger urges that *Walten* be understood in relation to "the ground [...] common to all beings". He similarly encourages the inquiry into how such a notion holds sway, particularly regarding "the highest being [...] [that] accounts for everything". The "prevalence [*Walten*] of that difference" forms the ground or terrain for the "onto-theological constitution of metaphysics". At this juncture, metaphysics implies both "logic as onto-logic" and "logic as theo-logic"<sup>147</sup>.

Years after his metaphysical lectures, Heidegger introduces the notion of *Austrag* in *Identity and Difference*, a term often translated as *perdurance* or *disposition*. This notion provides Heidegger a framework for thinking not only the threshold of

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<sup>144</sup> At this stage, I cannot extensively comment on Heidegger's approach to overcoming the onto-theological tendency that obscures difference. It is sufficient to note that this 'overcoming' does not resolve the complexities inherent in *Walten* (cf. *Fundamental Concepts*, p. 41); (cf. *Grundbegriffe*, p. 63). In Chapter II, I will turn to Schmitt's homogenisation. Schmitt considers the theological legacy indispensable, as his *Political Theology* argues that any concept within political theory has a corresponding theological 'origin'.

Without a 'sociological excavation' of the theological foundations, any political theory would remain incomplete. This excavation is fraught with tension, as disentangling political theory from its deistic underpinnings is never a frictionless process— it inevitably leaves traces (cf. *Pol. Theologie*, p. 43).

<sup>145</sup> (Wrathall 2021, p. 250)

<sup>146</sup> (*Identity/Difference*, p. 70f); (*Identität/Differenz*, p. 76)

<sup>147</sup> (*ibid.*)

difference but also how this contingent threshold of Being provides a provisional grounding for beings<sup>148</sup>.

The perdurance [Austrag, disposition] results in and gives Being as the generative ground. This ground itself needs to be properly accounted for by that for which it accounts, that is, by the causation through the supremely original matter– [ursprünglichste Sache] and that is the cause as causa sui. This is the right name for the god of philosophy. Man [Mensch] can neither pray nor sacrifice to this god<sup>149</sup>.

Heidegger's deconstruction provisionally replaces the divine with the notion of "causa sui"– a self-originating cause<sup>150</sup>. This notion is detached from any religious context. While this shift might seem substantial, the causa sui reflects Heidegger's earlier metaphysical engagement with physis. Walten –whether understood as metaphysical prevailing or differential disposition– enables Heidegger to conceptualise the causa sui, as a first cause without theo-logical underpinnings. Walten, in the form of Being or physis, sustains itself through all beings. Unlike the divine, whether pantheistic or otherwise, Heidegger's causa sui is inseparable from existence. Walten represents the prevalence of difference, marking the procedural and conflictual sway of Being. It is within this constellation that beings construct contingent foundations, which inevitably remain situated within the violent horizon of Being.

Being's Walten, understood as a prevailing cause or ground, serves as the condition of possibility for beings<sup>151</sup>. This makes Walten an appropriate metonym for ontological difference, as it allows Heidegger to conceptualise difference as something that permeates existence without ever fully solidifying into Being itself. The central stake here is the ontological question of "something rather than nothing"<sup>152</sup>. Walten offers a way to approach this question without presupposing a fixed ontological outcome. However, this approach comes with the inherent tension of self-sustaining

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<sup>148</sup> "perdurance is a circling, the circling of Being and beings around each other [...] of which we think at first as the approach to the active nature of the difference between Being and beings. [den wir zunächst als den Vorort des Wesens der Differenz von Sein und Seiendem denken.]" (Identity/Difference, p. 69ff); (Identität/Differenz, p. 75ff). As Derrida questions, what does a notion like Walten imply when it becomes, all at once "the event, the origin, the power, the force, the source, the movement, the process, the meaning [...] of the ontological difference, the becoming-ontological-difference of the ontological difference" (Derrida 2017, p. 256).

<sup>149</sup> (Identity/Difference, p. 77); (Identität/Differenz, p. 77)

<sup>150</sup> (ibid.)

<sup>151</sup> (cf. Morin 2015, p. 23)

<sup>152</sup> Paul North develops this in the context of Heidegger's assessment of Leibniz's principle of sufficient reason (North, 2012, p. 138f.).

dominance— as it functions without yielding to anything outside itself. Thus, *Walten* not only preserves the difference between Being and beings, but also enacts the force that governs their emergence.

*Walten* thus prevails through Heidegger's efforts to ground being within Being, illustrating his crucial complication of foundational processes. He remains aware of the contingency inherent in any foundation. Nevertheless, *Walten* prompts beings to ground themselves within the horizon of Being. While these processes are fleeting, they are structurally inscribed in Heidegger's assessment of existence.

As I proceed to consider *Walten* in the context of Heidegger's interpretations of Heraclitus and Aristotle, I conclude this section by addressing how *Walten* is ontologically situated<sup>153</sup>:

The interweaving of the distinctions themselves, and the way in which this interweaving oppresses and sustains us, is, as this prevailing, the primordial lawfulness [*ist als dieses Walten die Urgesetzlichkeit*] out of which we first comprehend the specific constitution of Being pertaining to those beings standing before us or even those beings that have been made the object of scientific theory.<sup>154</sup> [...] The ontological difference is that distinction that concerns the Being of beings, or more precisely the distinction within which everything ontological moves and which it presupposes, as it were, for its own possibility. [...] We have seen that this distinction is never at hand, but refers to something that occurs<sup>155</sup>.

For Heidegger, ontological difference holds sway. Only through the prevalence of this difference can the elusive dimension of Being as it pertains to beings be apprehended<sup>156</sup>. It is not misleading to refer to *Walten* as a *modus* and a modality of primacy— a suggestion I will later designate as *ontological sovereignty*. This involves both “structural dispersal” and “hermeneutic dissipation”, without hypostatizing their procedural character<sup>157</sup>.

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<sup>153</sup> “Whenever we come to the place [*Wir treffen dort*] to which we were supposedly first bringing difference along as an alleged contribution, we always find that Being and beings in their difference are already there.” (*Identity/Difference*, p. 62); (*Identität/Differenz*, p. 69). “*Walten* produces, bears, brings about, opens [...] the ontico-ontological difference and thus does not yet belong to either Being or beings. [...] If it were a force or a violence, it would be nothing, but a nothing that is not a thing, nor a being, nor Being, but which forces [...] the difference between Being and beings.” (Derrida 2011, p. 91).

<sup>154</sup> (*Fundamental Concepts*, p. 354); (*Grundbegriffe*, p. 514)

<sup>155</sup> (*ibid.* p. 358f [slightly modified]); (*ibid.* p. 524f)

<sup>156</sup> For Heidegger, such a claim would be incoherent: Being never is; it pertains to nothing. Being can only be studied through the conditionality of the subject or the event.

<sup>157</sup> (North 2012, p. 138f)

Ontology presupposes Being, yet, according to Heidegger, it struggles to overcome its neglect of this fundamental notion. The ontological difference, once introduced, is “never at hand but refers to something that occurs.”<sup>158</sup>. The authority of this difference, as Heidegger puts it, never stops prevailing: “The interweaving of the distinctions themselves [...] is, as this prevailing, the primordial lawfulness.”<sup>159</sup>. The lexical definition of *Walten* already hinted at its close association with ontological difference<sup>160</sup>. At this point, it has become increasingly difficult to separate the two; ontological difference itself seems to prevail<sup>161</sup>.

Regarding foundational processes, this implies that fleeting attempts to ground existence within Being must remain aware of a larger ontological tendency that prevails through them. *Walten* describes the generative ground on and through which existence interprets itself. This prevalence requires continuous questioning, as it never definitely manifest itself. The *Walten* of Being merely signals that there is a prevailing denominator among beings, and this common denominator is inherently violent. Any attempt at constructing a foundation must acknowledge this tendency. Heidegger’s position, therefore, vindicates a conflictual notion of existence, positing violent tension as a fundamental aspect of Being.

To reiterate: after reviewing how the sway of *Walten* differentiates both Being and beings, I outlined the conceptual consequences of linking such prevalence to a foundational notion of sovereignty. This connection stresses Heidegger’s emphasis on the (non-) presence of the register of difference. Being cannot be directly grasped; ontological difference stands as the prevailing condition for any ontic or ontological assessment. When *Walten* and difference are seen as coterminous, difference itself administrates, governs, or prevails. Heidegger’s “*Urgesetzlichkeit*”, the primordial lawfulness of his ontological setting, sets the conditions for ontic movement<sup>162</sup>. Heidegger’s persistent use of *Walten* may, therefore, be interpreted as indicative of a sovereign *modus*, positioned at the very foundation of his ontology.

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<sup>158</sup> (Fundamental Concepts, p. 358f)

<sup>159</sup> (ibid. p. 354)

<sup>160</sup> (cf. Knowles 2021, p. 606)

<sup>161</sup> Ontological difference, according to Heidegger, is “never at hand”; it only occurs. Heidegger stresses the non-presence of this swaying register of difference. However, his emphasis becomes problematic when confronted with what he describes as a “primordial lawfulness”. This primordality is not outside time; rather, it governs or administrates (*verwaltet*) the conditions for what is to unfold.

<sup>162</sup> (Grundbegriffe, p. 514)

## II. Conflictual Matter, Prime Movement

In this section, Heidegger's interpretation of Heraclitus and Aristotle will be briefly considered to contextualise his notion of *Walten*, demonstrating how it is shaped by both thinkers' metaphysical frameworks. Matter and movement are presented as ontologically primary elements. Heidegger then draws on these foundational notions to theorise an ontological origin – *physis*– which asserts itself through a conflictual and autonomous sway.

The context of this juxtaposition exposes a larger ontological schism that Heidegger does not explicitly address. As Kōjin Karatani notes, the pre-Socratics, such as Heraclitus, still theorise matter and movement as a unified concept<sup>163</sup>. Heraclitus, for example, does not conceptually require the intervention of an external, moving agent to account for originary tension within existence. In contrast, Aristotle –though refusing, unlike Plato, to radically separate matter from its inherent flux– introduces the notion of a prime mover, an external agency responsible for animating the material world. Whereas the pre-Socratics accept matter's self-movement without the need for a *telos*, Aristotle's theory of causes introduces such an end, which curtails the uncontainable proliferation of movement. Heidegger's *Walten* draws from both perspectives, but it cannot be fully aligned with either. Instead, *Walten* testifies to broader ontological origination by synthesising both tendencies.

The metaphysical lectures fluctuate between interpretations of Heraclitus and Aristotle. A passage from *The Fundamental Concepts of Metaphysics* illustrates the scope of Aristotle's *Metaphysics*:

Questions are asked concerning what life itself is, what the soul is [...] what movement, position, and time are, what the emptiness is in which that which is moved moves, what that which moves itself [das Sichbewegende] is as a whole and what the Prime Mover is. [...] The questioning proper to these sciences dealing with φύσις is the supreme question of the Prime Mover [die höchste Frage nach dem Ersten Bewegter], of what this whole of φύσις is in itself as this whole. Aristotle designates this ultimate determinant [...] as the divine, without yet associating this with any particular religious view [bestimmte religiöse Auffassung].<sup>164</sup> [...] Insofar as the fundamental character of these beings and

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<sup>163</sup> (cf. Karatani 2017, p. 59)

<sup>164</sup> (Fundamental Concepts, p. 32f [slightly modified]); (Grundbegriffe, p. 49)

their Being is movement, the original question concerning them goes back to the first mover<sup>165</sup>.

“The questioning proper” of metaphysics, according to Heidegger’s Aristotle, concerns the “Prime Mover”<sup>166</sup>. Before interpreting Heidegger’s summary of Aristotle’s *Metaphysics*, I briefly address the relation between growth, *Walten* (φύσις), and prime movement. Growth, as a process, may be considered autonomous but exists within a relational framework. Arguably, growth constitutes this very framework. It resists any attempts to halt or control its movement, yet, if force prevails, adaptations or transformations can occur— both in relation to concepts and to beings.

The process of growth is only comprehensible through the unity of movement and matter. In contrast, Aristotle’s notion of the prime mover partly disrupts this unity, as it is the cause of movement, even for that which is ostensibly unmoved. Conceptually, then, prime movement halts the proliferation of autonomous growth<sup>167</sup>. Thus, prime movement highlights a crucial distinction from the pre-Socratics, whom Heidegger considers being mislabelled as “philosophers of nature”<sup>168</sup>.

In *Metaphysics*, Aristotle asserts: “the science of the natural philosophers deals with the things that have in themselves a principle of movement”<sup>169</sup>. This raises the metaphysical question about what happens when one conceptually separates matter from movement. This separation requires the consideration of an agent or agency responsible for setting movement into motion<sup>170</sup>. Heidegger’s passage already demonstrates the extent to which Aristotle “designates this ultimate determinant [...] as the divine”. However, according to *The Fundamental Concepts*, this should not be understood in terms of “any particular religious view”<sup>171</sup>. Instead, the divine, in this context, represents a *causa sui*— a self-originating cause that operates within the realms of both theo-logic and onto-logic<sup>172</sup>. This *causa sui* constitutes a foundational procedure (*Vor-gang*) for all subsequent movement. Heidegger’s Aristotle suggests

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<sup>165</sup> (ibid. p. 34)

<sup>166</sup> (ibid. p. 32f)

<sup>167</sup> Heidegger largely ignores the ungovernable aspects of growth. Growth follows its exceptional configuration while providing the potential to supersede such determination. Positioned at the foundation of ontological difference, *Walten* governs (*ver-waltet*) its own unfolding. In Chapter III, I will discuss Bataille’s notion of excess, which offers an alternative perspective on the governability of growth (cf. *Accursed Share I*, p. 45).

<sup>168</sup> (*Fundamental Concepts*, p. 34)

<sup>169</sup> (Aristotle 1991a, XI (K), 1064a28-1681)

<sup>170</sup> (cf. Karatani 2017, p 59).

<sup>171</sup> (*Fundamental Concepts*, p. 32f)

<sup>172</sup> (cf. *Identity/Difference*, p. 77; 70f)



that this *causa sui* holds a sovereign role, acting as the primordial agent of ontological governance, thus tying Aristotle's metaphysical structure to Heidegger's broader notion of existence<sup>173</sup>.

The self-referential character of a sovereign act is often defined through the constitutive absence of external interference<sup>174</sup>. For a sovereign act to prevail, it must do so without consultation or reliance on anything outside itself; its power lies in its own autonomous movement. Both prime movement in Aristotle's *Metaphysics* and the sovereign in political theory are conceptualised as the "ultimate determinant [Letztbestimmendes]", emphasising their roles as self-contained, self-referential entities that guide and govern without external influence<sup>175</sup>.

In Section I, I demonstrated how *Walten* sways through and via beings, revealing how Being, as understood through φύσις, becomes the generative ground on which existence is theorised. What emerges from this analysis is that both the ontological foundation (the structure of Being) and the epistemological framework –two dimensions that Heidegger views as inseparable– govern how thinking unfolds within the context of ontological difference.

The prevalence or the violent governance of *Walten* remains a critical point in considering this constellation of Heidegger's thought<sup>176</sup>. His *Identity and Difference* does not shift this fundamental outlook. Being, as the generative ground of beings, exerts the sway of ontological difference ("*Walten der Differenz*")<sup>177</sup>. My focus is less on the hermeneutical continuity of this difference and more on interpreting the conceptual dominance –the sovereign sway– suggested ontically, and on which it relies ontologically. Before addressing this further in Section III, I will stress how a subtle instability within this ontological difference begins to emerge.

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<sup>173</sup> (cf. Introduction, p. 15)

<sup>174</sup> In Chapter II, I will further elaborate on this premise through Schmitt's notion of exception (cf. Schmitt 2015a, p. 13f).

<sup>175</sup> (Fundamental Concepts, p. 32f); (Grundbegriffe, p. 49)

<sup>176</sup> In a 1934 note from his *Black Notebooks*, Heidegger sketched the obligation of working towards the finalisation –the end– of philosophy in pursuit of what he termed "metapolitics" (Heidegger GA94, p. 115): "The end of 'philosophy' We must bring it to an end and thereby prepare what is wholly other–metapolitics." (Heidegger 2016, p. 85). Given his lack of effort to distance his work from National Socialist resonances, his call for metapolitics appears ominous. Heidegger's containment-efforts only marginally increased after his resignation from the Freiburg rectorate position, marking the end of his formal role as a representative of the German state. Nevertheless, his emphasis shifted. Volk, a privileged form of *Mitsein* in *Sein und Zeit*, was now to be assessed via other means.

<sup>177</sup> (Identität/Differenz, p. 76)

In considering “ultimate determination” (Letztbestimmung) and prime movement, Walten as φύσις frames both becoming and Being<sup>178</sup>. Heidegger presents Walten as a sway that encompasses the process of becoming and the constancy of Being: “This emerging, abiding sway includes both ‘becoming’ as well as ‘Being’ [In diesem aufgehend verweilenden Walten liegen ‘Werden’ sowohl wie ‘Sein’]<sup>179</sup>. [...] In opposition to becoming, it [Walten] shows itself as constancy, constant presence.”<sup>180</sup>. Heidegger thus assesses Walten through presence (An-wesen)<sup>181</sup>.

This notion of presence is central to Heidegger’s interpretation. While becoming is a movement between presence and absence, Walten stands as the enduring force that frames and stabilises this movement. Heidegger further argues that while difference cannot be directly grasped, it is through Walten that access to this ontological difference can be conceptually approached.

In *Identity and Difference*, he underscores the peculiarity of this kind of presence. Despite the constant sway of Walten, direct interpretative access to difference remains elusive. However, through Walten as a metonym, Heidegger offers a way to understand the operational space within which Being and becoming unfold, without assuming immediate conceptual control over their essence.

What is the status of prime movement in this sway of becoming<sup>182</sup>? Aristotle posits a hierarchy in which things closer to the prime mover are considered prior: “[T]he things that are nearer the first mover are prior [...] and the prime mover also is a beginning absolutely. [...] if the prior does not set in motion the other does not move”<sup>183</sup>. In this context, Aristotle’s prime movement stands as a metaphysical constant, removed from time, ensuring the intelligibility of motion.

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<sup>178</sup> (Fundamental Concepts, p. 32f); (Grundbegriffe, p. 49)

<sup>179</sup> (Introduction, p. 16) (Einführung, p. 12).

<sup>180</sup> (ibid. p. 132); (ibid. p. 96)

<sup>181</sup> This is how Rainer Schürmann frames Heidegger’s thought: “still enclosed in the problematic of presence, but already outside the field where presencing functions as constant presence, as identity of self with self, as unshakable ground.” (Schürmann 1987, p. 4).

<sup>182</sup> Heidegger appears to provisionally align with Aristotle’s understanding of time, as outlined in *Physics*. Here, the “now” serves as the vantage point from which the movement of time is perceived and determined. The finite being, while participating in time, remains in a position of removal from its continuous flux. Without such a conceptual distancing, the passage of time would become indecipherable— a continuous flow of indistinguishable moments. Thus, Heidegger allows for a temporality in which becoming is inscribed within the larger presence of Walten (cf. Aristotle 1991b, IV § 11f). Aristotle focuses on time as a measurable sequence of events. Heidegger inscribes temporality in *Dasein*, it is thus insufficient to generalise this provisional accord with Aristotle.

<sup>183</sup> (Aristotle 1991a, V (Δ), 1018b9-1018b29); “Prime Mover [...] sets in motion without moving or being moved” (Derrida 2020b, p. 10).

The prime mover, as Aristotle frames it, is not entangled in the temporal flux but rather serves as the foundation of all movement. It is both originary and hierarchical, establishing a structure of motion determined by proximity to the prime mover. The closer an entity is to this first cause, the more directly it is influenced by it. This hierarchy of origination marks the prime mover as the ultimate determinant, shaping the order of movement. Heidegger's reading of the prime mover, notably in *Introduction to Metaphysics*, parallels his treatment of *Walten*, which he distinguishes from the processes of becoming and Being. *Walten* functions as a constant force, akin to a governing principle, which structures the movement of beings. In doing so, Heidegger provisionally essentialises *Walten*, attributing it to a stabilising role while retaining its dynamic, procedural character.

At this stage, it remains uncertain how Aristotle transforms the pre-Socratic uniformity of matter and motion and how Heidegger integrates this transformation to shape the metaphysical terrain of *Walten*. Karatani notes that while Aristotle agrees with the pre-Socratics that motion is inherent in matter, he introduces a more systematic analysis through his four causes— material, efficient, formal, and final. The introduction of a final cause, a *telos*, or an end is particularly significant: “if the prior does not set in motion, the other does not move.”<sup>184</sup>.

Yet, Aristotle's prime movement retains some commonality with the “Heraclitean doctrine” which suggests: “that all sensible things are ever passing away, so that if knowledge or thought is to have an object, there must be some other and permanent entities, apart from those which are sensible; for there can be no knowledge of things which are in a state of flux.”<sup>185</sup>.

Both Aristotle and Heraclitus articulate the need for an immovable entity to render movement intelligible. However, Heraclitus, unlike Aristotle, presents a conflicting *kosmos* that frames movement and matter. Heidegger reads φύσις through Heraclitus's *kosmos*<sup>186</sup>. While his translation of *Fragment 30* may be disputable, its relation to the notion of φύσις as the sovereign *modus* of growth requires further clarification: “This *kosmos* [...] is always the same throughout everything, and neither a god nor any human being created it, rather this φύσις always was, always is, and

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<sup>184</sup> (Aristotle 1991a, V (Δ), 1018b9-1018b29)

<sup>185</sup> One can thus perceive Aristotle's prime movement as a response to Heraclitus's flux (Aristotle 1991a, XIII (M), 1078b32-1705).

<sup>186</sup> Richard Capobianco, in a more recent discussion of Heidegger's Heraclitus, follows the syntagmatic chain: “Being as *physis* as *kosmos*”, effectively abandoning the conflictual tendency of *polemos* (cf. Capobianco 2016, p. 475).

always will be an ever-flaming fire, flaring up according to measure and extinguishing according to measure [Μαῖ, metron, μέτρον]<sup>187</sup>.

Be it perpetual fire, as in Heraclitus's case, or Aristotle's prime mover moving the unmoved, both originary causes identify and account for the same structural necessity. In his metaphysical lectures, Heidegger situates *Walten* somewhere between these procedural notions of origination. In his translation, *metron* becomes decisive as he identifies within it the sway of *physis*. These perspectives demonstrate how Heidegger conceptualises the violent sway of an originary ontological framework, thus limiting the possibility of theorising the prevalence of Being through a less administratively constrained terminology. Heidegger derives the "constant presence" (*Anwesenheit*) of φύσις from Heraclitus's notion of the *kosmos*<sup>188</sup>. The *kosmos* sways metrically, not erratically:

'everything flows'. If this saying stems from Heraclitus at all, then it does not mean that everything is mere change that runs on and runs astray, pure inconstancy [reine Unständigkeit], but instead it means: the whole of beings in its Being is always thrown from one opposite to the other, thrown over here and over there— Being is the gatheredness of this conflicting unrest<sup>189</sup>.

Heidegger interpretation of Heraclitus leans towards the Aristotelian imposition of causes, with prime movement closely aligned to the *Walten* of Being. However, it would be reductive to equate *Walten* seamlessly with Aristotle's prime mover. Heidegger portrays Being as an active, gathering force, one that throws beings: "from one opposite to the other"<sup>190</sup>. This combination of Heraclitus's violent flux and Aristotle's teleological structure illustrates Heidegger's peculiar deconstruction, where he reshapes the metaphysical terrain of Being<sup>191</sup>.

While *physis* and the ontological sway embody procedural growth, their movement must be consolidated via a minimal *telos*— a governing principle that consolidates "pure inconstancy"<sup>192</sup>. This is where a differentiating ontological opening is abandoned for the violent gathering dominated by Being, or rather, φύσις.

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<sup>187</sup> (Fundamental Concepts, p. 31); (Grundbegriffe, p. 47)

<sup>188</sup> Through Karatani, I have already noted how the notion of the *kosmos* does not permit a conceptual separation between matter and motion: "For Heraclitus, the One [*kosmos*] does not exist beyond materiality and motion but comes to be realized through motion." (Karatani 2017, p. 84).

<sup>189</sup> (Introduction, p. 142); (Einführung, p. 102)

<sup>190</sup> (*ibid.*)

<sup>191</sup> This could be termed voluntarism.

<sup>192</sup> (*ibid.*)

As noted, a sovereign gesture results from that interpretation, relating to principles of sovereign movement, which is self-propelled and governed entirely by its own sway. Heidegger's metaphysical reading reinforces the regulatory telos of Aristotle's prime mover. Simultaneously, Heidegger aligns more with Heraclitus's emphasis on "conflicting unrest"<sup>193</sup>. Whereas Heraclitus's kosmos underscores the fluidity and flux of growth, Heidegger's translation attempts to contain this fluidity. This is symptomatic of Heidegger's effort to propose a modus of Being that consolidates and modalises the differential gathering of beings, a notion I will further develop in the following section.

The swaying of φύσις flares up and extinguishes according to "measure"<sup>194</sup>. Where is this metron derived from? As in the *Introduction to Metaphysics*, an initial separation, which differentiates "gods" from "human beings", results from the "irruption [disjunction, Auseinandertreten] of Being itself" which is to be situated "in the polemos [Πόλεμος]"<sup>195</sup>. Heidegger reads Heraclitus's polemos as a differentiating struggle, a setting-apart, or a con-frontation [Aus-einander-setzung]<sup>196</sup>: "Con-frontation [setting-apart; Aus-einander-setzung]— that is not mere quarrelling and feuding [Gezänk und Hader], but the strife of the striving [...] [that] makes them manifest."<sup>197</sup>

According to Heidegger, polemos –interpreted as another metonym for ontological difference– thus describes a fundamental process of differentiation, a force that brings things into being by setting them apart. He regards this as the critical ontological event, an irruption, or disjunction in Being itself, which gives rise to (or rather *is*) differentiation. It is through this differentiation, this setting-apart (Aus-einander-setzung) that beings come into their own and become perceivable. The measure (metron) of physis in Heraclitus's framework is therefore connected to the governing principle of confrontation or strife, which shapes the emergence and development of things in the world.

Similar to the notion of Austrag in *Identity and Difference*, polemos performs as a modality of disjunction, assisting in the assessment of ontological difference. Heidegger's interpretation of polemos takes it beyond physical or human conflict, perceiving it instead as a fundamental ontological principle that accounts for both the

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<sup>193</sup> (ibid. p. 142); (ibid. p. 102)

<sup>194</sup> (ibid.)

<sup>195</sup> (Introduction, p. 149); (Einführung, p. 107)

<sup>196</sup> (ibid. p. 113f)

<sup>197</sup> (ibid. p. 120); (ibid. p. 87); (Heidegger 1976, p. 113f)

dispersal of beings and their hermeneutic horizon<sup>198</sup>. Heidegger's notion of ontological origination –as prevailing in and via existence– moves closer to Heraclitus's understanding of an originating conflict, shaping physis, growth, or Being. Nevertheless, the Aristotelian telos of prime movement is not abandoned altogether<sup>199</sup>. How does Heidegger outline the relation of polemos and Walten?

In this sway [dieses Walten], rest and movement are closed and opened up from an originary unity. This sway is the overwhelming coming-to-presence that has not yet been surmounted in thinking, and within which that which comes to presence essentially unfolds as being. But this sway first steps forth from concealment– that is, in Greek, *alethēia* [ἀλήθεια] (unconcealment) happens– insofar as the sway struggles itself forth as a world. [...] Confrontation is indeed for all (that comes to presence) the sire (who lets emerge), but (also) for all the preserver that holds sway [waltender Bewahrer]. [...] The polemos [Πόλεμος] named here is a strife that holds sway before everything divine and human, not war in the human sense<sup>200</sup>.

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<sup>198</sup> (cf. North 2012, p. 121)

<sup>199</sup> In Gregory Fried's *From Being to Politics: Heidegger's Polemos*, Fried positions polemos as a foundational schema in Heidegger's philosophy: "Heidegger's polemos has a scope as broad and as deep as his whole thinking, for it describes not only our own Being, what he calls Dasein, but also Being itself. Polemos is a name for Being [...]. Our Being is polemical." (Fried 2000, p. 16). Fried's analysis highlights Heidegger's active interpretation of polemos, particularly its dual function as an ontological and anthropological principle. However, I diverge from Fried's interpretation by suggesting that Heidegger's notion of Walten provides a more comprehensive performative and modal schema for understanding ontological sovereignty. "Being-at-issue-for-itself [...] gets deployed in Dasein's understanding of its existential Being-in-the-world. This deployment, finally, we have interpreted as polemos, the strife and Auseinandersetzung, between Dasein and Being" (ibid. p. 100). My reading suggests that Heidegger's metaphysical insistence moves beyond conflict, incorporating the hermeneutic horizon of the conflictual. Fried emphasises the structural (or ontological) importance of conflict but underestimates Heidegger's meta-structural (or metaphysical) insistence. As Heidegger's *Introduction to Metaphysics* suggests: "the disjunction [Auseinandertreten] of Being itself" is to be situated in "the polemos (Πόλεμος)" (Introduction, p. 149); (Einführung, p. 107). While polemos is crucial, it operates within the broader framework of Walten, which governs not just conflict but the entirety of ontological emergence. As Heidegger writes, the "emerging sway of physis [das aufgehende Walten]" should not be taken as "one process [Vorgang] among others that we observe in beings. Physis is Being itself, by virtue of which beings first become and remain observable" (ibid. p. 15); (ibid. p. 11). The disjunction of Being itself –the ontological difference– is to be interpreted polemically. In paraphrasing Heidegger, Fried acknowledges this dimension but does not question it further: "Being confronts Dasein as an overwhelming sway; it has the character of ruling always already been given: Dasein did not create this Being into which it is thrown and that haves over Dasein, bestowing upon Dasein its world. For its part [lies] in confronting the overwhelming power of Being" (Fried 2020, p. 74). Fried thoroughly analyses one of these performative dimensions of the sway of Being (polemos or conflict) but does not critically develop its other registers (ontological difference, prime movement, measure, resoluteness). I argue that Heidegger's conceptualisation of sovereignty lies not solely in polemos but in the interplay of these forces, which together form a sovereign sway.

<sup>200</sup> (Introduction, p. 64f); (Einführung, p. 47)

Walten “has not yet been surmounted in thinking”<sup>201</sup>. If Walten is understood as a metonym for ontological difference, as outlined in Section I, it becomes evident that it is insurmountable. According to *Identity and Difference*, difference cannot be fully comprehended but can only be encountered differentially. What would it mean, then, to consider ontological difference as a prevailing modus? Heidegger appears to seek a way to “think about transcendence within existence” without relying on the conceptual framework of a “beyond”<sup>202</sup>. Thus, the sway of difference is embedded within existence itself.

Beings, situated within the scope of physis, are subject to this polemic sway. The conflictual and violent dimension of this sway actively shapes their ontological grounding. In this sense, Walten functions not only as a manifestation of ontological difference but also an existential force, grounding the Being of beings through conflict and differentiation. Through this, beings potentially encounter their ontological structure, demonstrating how Walten operates both as the force of existence and as the modus through which beings question their ontological grounding.

Heidegger’s minimal telos, assessed through his active interpretations of Heraclitus and Aristotle, emphasises a constant self-movement driven by violent sway. This sway manifests itself as Walten. In Heidegger’s metaphysical readings, physis – Being conceived as growth– disperses itself, administering this sway, which is inherently conflictual. The regulatory mechanism through which this sway operates, later termed *Austrag*, functions as the ontological a priori, governing ontological difference and perpetuating beings.

Walten is not merely a force of governance but one that maintains the ontological difference between Being and beings. This is especially clear in Heidegger’s reading of physis, whether it is seen as a deconstructed *causa sui* or as an *essentia*. In either case, Walten becomes the metonym for sovereignty– self-movement or procedural exceptionality. *Polemos*, understood as conflict or strife, is the ground through which ontological difference holds sway and must be interpreted. Thus, *Walten grounds the ontology of difference*, framing how beings question Being polemically.

Heidegger’s Walten suggests an ontological structure that shapes the self-determination of beings in relation to Being. While beings may be self-founding within

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<sup>201</sup> (ibid)

<sup>202</sup> (North 2012, p. 138f)

Heidegger's framework, they are never entirely disconnected from Being, even if they might forget this fundamental relationship. This connection defines their existential grounding, structuring their thrownness (Geworfenheit) into the world<sup>203</sup>.

In *Being and Time*, Heidegger introduces Dasein as being thrown into its existence, but this thrownness is not passive. Beings are required to adopt a decisive or resolute stance, shaping themselves in light of their relationship to Being. This resoluteness (Entschlossenheit) signifies an active confrontation with the metaphysical structures that obscure Being. Only through this confrontation can beings avoid Seinsvergessenheit –the forgetfulness or oblivion of Being– where their focus on individual Dasein eclipses the question of Being itself.

Thus, Walten, understood as a sovereign and regulatory force shapes the existential comportment of beings. Through resoluteness, beings perform an act of self-determination that allows them to resist the metaphysical tendency to prioritise presence over Being. Section III will assess how Walten facilitates this process of existential self-determination and how Heidegger uses it to critique the metaphysics of presence, illustrating the link between the autonomy of beings and their inextricable connection to the Walten of Being.

### **III. Resolute Prevalence**

In this section, I will first present a schematic account of existential modalisation (existentielle Modalisierung) as outlined in §62 of *Sein und Zeit*. In this passage, Heidegger exemplifies how an ontological modality provides the foundation for ontic decisions and, ultimately, for existential resolve. This demonstrates how an ontological predicament (existenzial as opposed to existenziell) modalises lived existence through a decisive ontic choice. To clarify this link, as set out in Heidegger's existential analytic, I will contextualise this discussion with a brief exposition of §63 in *Sein und Zeit*. After re-emphasising how ontological Walten modalises ontic existence, I will expand this account by referencing excerpts from Heidegger's *Nietzsche* lectures, conducted between 1936 and 1940.

While the connection between resoluteness (Entschlossenheit) and Walten is tied to what Heidegger perceives as their shared ontological originarity (Ursprünglichkeit), a further, more hermeneutical connection can be drawn between

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<sup>203</sup> (cf. Morin 2015, p. 29)



his metaphysical lectures and the sober tone of *Sein und Zeit*<sup>204</sup>. In the foreword to the seventh edition of *Being and Time* (1953), which remains consistent in subsequent editions, Heidegger explicitly suggests that to enrich the understanding of the question of Being and its implications for Dasein: “the reader may refer to [...] *Einführung in die Metaphysik*”<sup>205</sup>.

Without explicitly framing this as a hermeneutical task, this penultimate section questions Heidegger’s understanding of decisive resoluteness and its ontological underpinnings. In Heidegger’s framework, the notion of resoluteness (*Entschlossenheit*) involves more than a mere ontic choice; it is shaped and constrained by the ontological forces of *Walten*<sup>206</sup>. *Walten*, as developed above, grounds the differential relation between Being and beings.

Heidegger’s *Entschlossenheit*, when interpreted alongside *Walten*, emphasises an active response to the polemic forces of existence, as framed within *physis*. This decision (*Entschluss*) actively resists what Heidegger critiques as *Seinsvergessenheit*, a point made evident in §63 of *Sein und Zeit*, where he denounces the misapprehension of ontological understanding through common sense (*Verständigkeit*)<sup>207</sup>. The decisiveness of *Entschlossenheit*, then, is an existential stance that engages with the sway of Being, confronting ontological forces rather than passively submitting to them.

§62 transitions from a discussion of the call of care and guilt to situating *Entschlossenheit* (resoluteness) within the ontological structure of temporality<sup>208</sup>. In the broader context of *Being and Time*, resoluteness is central to how Heidegger conceptualises Dasein’s response to existence, one that resists the normative imposition of the “they” (*das Man*)<sup>209</sup>. *Entschlossenheit* entails a decision for a specific potentiality-of-being (*Seinkönnen*), detached from the collective impositions that Heidegger argues typically conceal Being<sup>210</sup>. As such, it represents an existential decision that stands against collective norms and the oblivion of Being with which such

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<sup>204</sup> As Derrida notes in *Heidegger’s Ear: Philopolemology*, commenting on the liberal use of “originary” and “nonoriginary” in Heidegger’s writing between 1933 and 1955: “this oscillation introduces an irreducible inconsistency and a nonformalizable equivocation. This nonformalization or perhaps the nonformalizable character of this discourse are not at all, in any case, not sufficiently thematized.” (Derrida 1993, p. 202).

<sup>205</sup> (*Being/Time*, p. xxvii); (cf. *Sein/Zeit*, p. VIII).

<sup>206</sup> In Chapter 4, I trace the link between *Austrag* (disposition/resolution) and *Entschlossenheit* (resoluteness/resolve).

<sup>207</sup> “*Verständigkeit* missversteht das Verstehen.” (*Sein/Zeit* §63, p. 315).

<sup>208</sup> (cf. *Sein/Zeit* §65, p. 327)

<sup>209</sup> (cf. *ibid.* §25, p. 116f)

<sup>210</sup> (cf. *Being/Time*, §60; 283f); (cf. *Sein/Zeit*, §60; 296f)

existence coincides<sup>211</sup>. Heidegger's *Entschlossenheit* thus refers to an existential decision that resists the normative frameworks imposed by communal being. This existential stance, in contrast to the forgetfulness inherent in "the they" (*das Man*), represents a conscious confrontation with the ontological conditions that shape existence<sup>212</sup>.

After presenting a detailed exposition of Heidegger's *Entschlossenheit*, I will situate it within the broader collective predicament of thrown individuation (*geworfene Vereinzelung*)<sup>213</sup>. This context, as outlined by synthesising my reflection on *Walten* and these sections of *Sein und Zeit*, highlights Heidegger's imperative for a decisive engagement with *Walten*. Additionally, this analysis will clarify my understanding of *modus*, *modality*, and *modalisation*, which will become more significant in the subsequent chapters.

My question, then, is as follows: what does it mean for an ontological predicament to prevail through an ontic decision? Through *Walten*, Being is present (*wesend*; *ist an-wesend*). Being prevails through difference, most importantly through the ontic/ontological difference. However, a notion of Being that prevails should not be understood as an *essentia* that predetermines *existentia*. Instead, it could be conceived as an elusive *Setzung* (*Auseinander-Setzung*; *setting*), with which existence must contend and through which it is animated, differentially structured. *Setzung* thus reflects how Being positions or sets forth beings, thereby shaping their decisional capacity (*Vermögen*, not *potentia*).

Heidegger characterises *Entschlossenheit* as: "the reticent self-projecting upon one's ownmost being-guilty, and as demanding anxiety of one-self [*sich-Angst zumutendes, verschwiegenes Sichertwerfen auf das eigenste Schuldigsein*]." <sup>214</sup>. The guilt referred to in this statement arises from "being-the-ground for a being (*Sein*) which is determined by a not— that is, being-the-ground of a nullity [*Grundsein für ein durch ein Nicht bestimmtes Sein— das heißt Grundsein einer Nichtigkeit*]." <sup>215</sup>. In other words, beings are always guilty to the extent that they must project (*entwerfen*) their *Dasein* from the nullity into which they are entrusted by Being. At this stage, such a

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<sup>211</sup> (cf. Crowe 2021, p. 641). This does not preclude *Mitsein* but expresses some of the limitations that Heidegger associates with quotidian *Dasein*, common sense, *Verständnis*.

<sup>212</sup> (*Being/Time*, p. 295); (*Sein/Zeit*, p. 308)

<sup>213</sup> (cf. *Sein/Zeit*, §58, p. 280)

<sup>214</sup> (*Being/Time*, §62, p. 292); (*Sein/Zeit*, §62, p. 305 [slightly modified])

<sup>215</sup> (*ibid.* §58, p. 272); (*ibid.* §58, p. 283)

phenomenological or existential task, despite the inherent guilt, seems relatively neutral. It does not extend beyond the projection of the being one is.

“The intrinsic sense of resoluteness is to project upon itself this being-guilty that Dasein is as long as it is [Im eigenen Sinne der Entschlossenheit liegt es, sich auf dieses Schuldigsein zu entwerfen, als welches das Dasein ist, solange es ist].”<sup>216</sup>. Heidegger rapidly shifts emphasis towards finitude; the guilt associated with projecting (entwerfen) is only fully understood when beings grasp their being-towards death (Sein zum Tode)<sup>217</sup>. In resoluteness, being thus contains its “authentic [eigentlich] being-toward-death as the possible existentiell [existenzielle (ontische)] modality of its own authenticity [Eigentlichkeit]”<sup>218</sup>.

A being can only project itself resolutely when it comprehends itself within the horizon of finitude. In this recognition, it realises that it is within its capacity to transform nothing, nullity (Nichtigkeit), into something— to construct existence from an ungrounded, and perhaps un-grounding, Dasein. In other words, through resoluteness, Dasein understands that it is the empty or null foundation of its own nullity. It is within this nullity that Dasein must hold itself to project existence. For this projection to be resolute, it necessitates the certainty of death. Thus, a careful consideration of death is concomitant with resoluteness— the temporal structure of Entschlossenheit is anticipatory, always oriented towards the future<sup>219</sup>.

For Heidegger, the phenomenon of resolve potentially discloses the primordial truth of existence. In anticipation of my comparison with Walten, decisive Dasein signifies its distinction and its relationship to the self-forming totality of beings within Being<sup>220</sup>. Entschlossenheit serves as both an ontological and ontic marker, indicating Heidegger’s vision of the self-formation of a being residing in physis. Before outlining this in greater detail, I am yet to conclude the examination of how §62 of *Sein und Zeit* informs its ontological analysis of an existential decision by prioritising a certain “ontic interpretation [ontische Auffassung]” or “factual ideal” of Dasein<sup>221</sup>.

Against the abandonment of the “they”, resoluteness returns Dasein to its “ownmost-potentiality-of-being-a-self [eigenstes Selbstseinkönnen]”<sup>222</sup>. In order to

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<sup>216</sup> (ibid. §62, p. 292); (ibid. §62, p. 305)

<sup>217</sup> (cf. ibid.)

<sup>218</sup> (ibid.); (ibid)

<sup>219</sup> (ibid. §62, p. 293); (cf. §62, p. 305f)

<sup>220</sup> (cf. Fundamental Concepts, p. 25)

<sup>221</sup> (cf. Being/Time, §62, p. 297); (cf. Sein/Zeit, §62, p. 310)

<sup>222</sup> (ibid. p. 293); (ibid. p. 307)

realise this potential (Vermögen), existence requires a being to maintain itself in an “equiprimordial being-certain [gleichursprüngliches Gewißsein]”, where one remains grounded in the disclosure of resoluteness<sup>223</sup>. At this point, the purview of such a decision is not prescribed. According to Heidegger, the certainty required by Entschlossenheit concerns holding oneself within what is disclosed through one’s own resolve. Yet, such a decision (Entschluss) can vary in response to differing “factual possibility”<sup>224</sup>. One may thus choose otherwise.

However, this “holding-for-true [Für-wahr-halten] in resoluteness (as the truth of existence) [...] by no means lets us fall back into irresoluteness.”<sup>225</sup>. As a result, Heidegger associates the absence of resolve with the lostness of “the they”<sup>226</sup>. This simultaneously seems to foreclose the possibility of the resolve not to decide (a decision that Heidegger equates with “irresoluteness”)<sup>227</sup>. While irresoluteness is “co-certain [Mitgewiss]” it is determined by the decision (Entschluss): “It [resoluteness, Entschlossenheit] knows about the indefiniteness [Unbestimmtheit] that prevails [durchherrscht] in a being that exists. But this knowledge must itself arise from an authentic disclosure if it is to correspond to authentic resoluteness [eigentliche Entschlossenheit]”<sup>228</sup>.

While Heidegger’s ontological assessment allots phenomenal space for ontic undecidability, it is only through resoluteness that existence can be modalised in a way that allows for the overcoming of loss and oblivion. Indefiniteness prevails, but the certainty of this indefiniteness –not to mention the knowledge or ability to alter it– requires a resolute decision.

When Heidegger discusses these moments of modalisation, he refers to Dasein’s capacity to realise its ontic possibilities (Vermögen) by maintaining an ontological understanding of finitude (i.e. the way in which finitude limits and the ontic decision pluralises or differentiates). For Heidegger, authentic (eigentlich/e) existence is founded in Dasein’s ontological comprehension of its own finite modalities<sup>229</sup>. The decision, in this context, is not a fleeting act but a recognition of Dasein’s being-toward-death, which necessitates a resolute stance.

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<sup>223</sup> (ibid. p. 294); (ibid.)

<sup>224</sup> (ibid.)

<sup>225</sup> (ibid.); (ibid. p. 308)

<sup>226</sup> “lostness [Verlorenheit] in the irresoluteness [Unentschlossenheit] of the they [Man]” (ibid. p. 295); (ibid.).

<sup>227</sup> Something I will return to discuss in Chapter 4.

<sup>228</sup> (ibid); (ibid)

<sup>229</sup> (cf. ibid.); (cf. ibid. p. 309)

However, Heidegger simultaneously constrains the scope of ontic resolutions. Decisions must align with a kind of resoluteness that actively resists the inertia of everydayness, what he calls “the they” (das Man)– the conformist tendencies of inauthentic existence, which are marked by forgetfulness, indecision, and disengagement from the violent ontological tension that shapes existence.

The ontological modus is finitude, and one of its modalities is resoluteness. Finitude becomes realised or actualised only when Dasein, in its being-toward-death, confronts its existential limitations and acts decisively. Otherwise, Dasein sinks into incomplete and indecisive obliviousness<sup>230</sup>. For Heidegger, beings possess the ontic potential (Vermögen) to make decisions and thus to project an existence. This provides “death the possibility of gaining power over the existence of Dasein [dem Tod die Möglichkeit freigeben, der Existenz des Daseins mächtig zu werden]”<sup>231</sup>. Only through this decisive being-toward-death, where death prevails through existence (and vice versa) do beings renounce a detachment that flees the world, and start to act resolutely, without illusion<sup>232</sup>.

Heidegger concludes §62 by submitting that “a definite ontic interpretation of authentic existence [eine bestimmte ontische Auffassung von eigentlicher Existenz]” grounds his ontological interpretation. For Heidegger, this is a positive necessity that results from the object of his inquiry. Accordingly, any ontological interpretation must “overcome [erobern; conquer rather than merely overcome] the Being of this being in spite of its tendency to cover things over [gegen seine eigene Verdeckungstendenz] [...]”. Thus, the existential analytic constantly has the character of doing violence [Charakter einer Gewaltsamkeit].”<sup>233</sup>.

This idea of violence is symptomatic of Heidegger’s thought. It parallels the link between Walten (prevalence) and Gewalt (violence), indicating that the unconcealment (ἀλήθεια) of Being requires an active, forceful process<sup>234</sup>. The existential analytic must disrupt the tendencies of inauthentic (uneigentlich) existence –those that conceal or obscure the ontological nature of Being– and bring them into confrontation with authentic existence. Before addressing this violence, I will conclude this discussion by emphasising the connection between resoluteness and a form of existence shaped by

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<sup>230</sup> “The being [Seiende] that we ourselves in each instance are, is ontologically farthest from us [ontologisch das Fernste].” (ibid. p. 297); (ibid. p. 311)

<sup>231</sup> (cf. ibid. p. 296); (cf. ibid. p. 310 [slightly modified])

<sup>232</sup> (cf. ibid.); (cf. ibid.)

<sup>233</sup> (ibid. [slightly modified]); (ibid.)

<sup>234</sup> (cf. Introduction, p. 64f)

the ontic decision of a being capable of resisting the tendency to cover-over or conceal (verdecken) the ontological.

§63 expands on Heidegger's claim that a "definite ontic interpretation" and a notion of "authentic existence" are integral to his ontological analysis<sup>235</sup>. In §62, Heidegger has already established how a decisive ontic stance is required for a form of being that transcends common sense. This stance has to affirm death, serving as the evasive foundation necessary to realise a projection (Entwurf) of the self: "self-interpretation [Selbstausslegung] belongs to the Being of Dasein"<sup>236</sup>. I will ignore Heidegger's allusion to the way in which every being possesses pre-ontological understanding, and instead stress the peculiar language he chooses to assess an authentic notion of Dasein at the outset of interpreting Being itself<sup>237</sup>:

Existential interpretation will never seek to take over by fiat those things that [rather, assert power over: ein Machtanspruch über existenzielle Möglichkeiten], from an existentiell [existenziell (ontisch)] point of view, are possible or binding. But must it not justify itself with regard to those existentiell possibilities that it uses to give the ontic basis for the ontological interpretation<sup>238</sup>?

An ontological interpretation, as conducted through the existential analytic, presupposes authentic existence but refrains from asserting control over the capacities of being (existenzielle Möglichkeiten). However, it must still justify the modalities it employs –each resolve shaping differing ontic projections– to engage with the modus (Being) it aims to comprehend. How, then, does Heidegger defend the decision to elevate decisional resolve (Entschlossenheit) to the status of a fundamental modality of existence? Beyond the resolve to project (entwerfen) oneself in the face of death, this modality lacks further specificity. Why is it still violently imposing itself<sup>239</sup>?

Where does this idea get its justification? Has our initial project, in which we called attention to it, led us nowhere [the translation brushes over Heidegger's decisive German: "War der sie anzeigende erste Entwurf führungslos?"]? By no means. The formal indication of the idea of existence was guided by the understanding of being in Dasein itself. Without any ontological transparency, it was, after all, revealed that I myself am always the being which we call Dasein,

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<sup>235</sup> (ibid.)

<sup>236</sup> (ibid. §63, p. 298 [slightly modified]); (ibid. §63, p. 312)

<sup>237</sup> (cf. ibid.); (cf. ibid.)

<sup>238</sup> (ibid. p. 299); (ibid)

<sup>239</sup> (ibid.); "gewaltsame' Vorgabe" (ibid)

as the potentiality-of-being [Seinkönnen] that is concerned to be this being. Dasein understands itself as being-in-the-world, although without sufficient ontological definiteness<sup>240</sup>.

Without external guidance or governance (Führung), beings are concerned with the potential of being what they are. This concern, which manifests as a realisation of the self, always operates through a preliminary understanding of being-in-the-world. Although such conduct may appear undirected, it necessitates –as forcefully articulated in §62– a decision, or, more precisely, a resolute stance. In the absence of this stance, Dasein commits a fundamental error: it forgets or conceals Being and, in doing so, disregards its own finitude.

These paragraphs, along with my previous reflections on Walten, exemplify Heidegger's conceptualisation of a conflictual ontology of difference. To my knowledge, Heidegger's *Gesamtausgabe* never explicitly refers to sovereignty. For Heidegger, this notion likely constitutes a vulgar or insufficient analysis of the deeper ontological presuppositions underlying political structures. In other words, sovereignty, as traditionally understood, describes an ontic constellation where entities strive towards self-referential governance. This assessment fails to account for how such governance is not only perpetuated by but also responds to Being. However, as I have proposed, it is not implausible to transpose this ontic conceptualisation into Heidegger's explicitly ontological framework.

Section I engaged with this proposition by questioning the resonances between Heidegger's ontological difference and his persistent use of Walten, as prominently featured in his metaphysical lectures. In its minimal form, ontological difference seeks to delineate the distinction between Being and beings while addressing the impossibility of directly propounding this difference. Instead, one must rely on one's Dasein and the pre-ontological understanding that it allows for. For Heidegger, ontological difference serves as the constitutive and prevailing (*ver-waltende*) condition underlying every ontological inquiry. At times, Walten and difference appear coterminous, suggesting that difference itself governs or administrates (*verwaltet*) through a metonymic register<sup>241</sup>.

Section II traced the metaphysical context in which Heidegger employs the polysemic terminology of Walten to illustrate the shift from Heraclitus to Aristotle. This

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<sup>240</sup> (*ibid.* p. 299f); (*ibid.* p. 313)

<sup>241</sup> (*cf.* *Fundamental Concepts*, p. 354)

assessment, which can hardly be considered an ‘immanent’ reading, allows Heidegger to communicate his own ontological stance through a constellation of pre- and post-Socratic thought. Heidegger’s *Walten* thus adopts Heraclitus’s metric kosmos, while also incorporating the conflictual and disjunctive (*auseinandersetzend*) dimension of *polemos*<sup>242</sup>. Furthermore, Heidegger does not fully dismiss Aristotle’s prime movement but retains a minimal *telos*. If Being is understood as the prime mover, prevailing only through beings, Aristotle’s theological traces are effectively deconstructed. In this constellation, the self-movement of beings is at stake: Being is sovereign and perpetuates sovereign beings. Thus, *Walten* functions as the *modus*, while resoluteness represents the modality that allows for a decisive response to the violent sway of Being. Heidegger presents a metaphysical vision of conflictual, prevalent, and self-determining movement<sup>243</sup>.

So far, Section III has recapitulated Heidegger’s notion of *Entschlossenheit* and existential modalisation. I will now conclude this section by addressing how this decisional resolve shapes a specific comportment of being— how it calls for a decisive stance. This complicates Heidegger’s differential rigour, as it introduces a qualitative disparity<sup>244</sup>. While all beings are thrown into individuation (*geworfene Vereinzelung*), Heidegger suggests that some are more resolute, and thus more decisively attuned to respond to the violent sway of existence<sup>245</sup>. To elaborate on these implications, I will turn to passages from Heidegger’s *Nietzsche* lectures, which illustrate how *Entschlossenheit* contributes to this ontological hierarchisation.

In these lectures, conducted between 1936 and 1940 –later used to mark Heidegger’s presumed distancing from his rectorate period– Heidegger traces Nietzsche’s theoretical trajectory, largely focusing on varied readings of the will to power (*Wille zur Macht*)<sup>246</sup>. Passages from the chapter titled *The Will as Will to Power* (*Der Wille als Wille zur Macht*) provide a more nuanced context for situating Heidegger’s notion of *Entschlossenheit* (resoluteness), as developed in *Sein und Zeit*, allowing me to connect it to *Walten*.

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<sup>242</sup> (cf. Introduction, p. 113f)

<sup>243</sup> As Marie-Eve Morin notes: “the Heideggerian step back into the domain where Being and beings can be experienced from out of the difference in which they are held apart and toward each other.” (Morin 2015, p. 27).

<sup>244</sup> In previous terms, it destabilises ontological difference.

<sup>245</sup> (cf. Being/Time §58, p. 269); (cf. *Sein/Zeit* §58, p. 280). Christopher Fynsk records: “Heidegger’s difference differentiates and spaces, but Heidegger will always emphasize the way it opens a space of the same.” (Fynsk 1991, p. xxx).

<sup>246</sup> (cf. Farrell Krell 1991, xiff)



Similar to my earlier treatment of the metaphysical lectures, revisiting these passages follows Heidegger's implicit self-assessment. In reference to Nietzsche, Heidegger notes: "The great thinker is one who can hear what is greatest in the work of other 'greats' and who can transform it in an original manner [ursprünglich verwandeln]." <sup>247</sup>. In this light, Heidegger reads Nietzsche to adapt his thought for his own purposes: "willing is not wishing at all. It is the submission of ourselves to our own command, and the resoluteness of such self-command [die Entschlossenheit des Sichbefehlens], which already implies our carrying out the command [die in sich schon Ausführung ist]." <sup>248</sup>.

Heidegger associates Nietzsche's will to power with Dasein <sup>249</sup>. As in §62, resoluteness implies a decisive stance. Through Heidegger's reading of Nietzsche, this decision, required to prevent the normative forgetfulness of "the they", gains further rigour: it is now articulated as self-command <sup>250</sup>. This self-command, framed within Being's eternal recurrence, becomes a necessity for ontic subjectivation: "Willing is resoluteness toward oneself" <sup>251</sup>. As previously noted, resoluteness does not prevent a being from indecisiveness. Heidegger constantly frames it through resolve, implying that any assessment of the irresolute must involve an analysis of failed resolve. A being that fails to decide (and thus to project itself) remains trapped in common sense, in the forgetfulness of Being. Only resoluteness allows for mastery, a mastery that Heidegger describes as violent, self-forming, and a necessary condition for transcending the oblivion of Being <sup>252</sup>.

This minimal determination leaves the reader with the ontic modality of resoluteness bestowed onto being by the modus of Being. Walten communicates a similar ontic-ontological dynamic, albeit through a more archaic idiom. Walten, as physis, represents the "self-forming prevailing of beings as a whole [sich selbst bildendes Walten des Seienden im Ganzen]" <sup>253</sup>. As a metonym for ontological difference, Walten reflects how beings potentially form themselves within the sway of Being. This prevalence is both polemical and self-governing, as Heidegger draws from

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<sup>247</sup> (Heidegger 1991, p. 35); (Heidegger GA6.1, p. 33)

<sup>248</sup> (ibid. p. 40); (ibid. p. 37)

<sup>249</sup> As a prelude to these interpretations, Heidegger notes that he will consider the will to power as the fundamental characteristic of Dasein, while the eternal recurrence of the same (ewige Wiederkehr des Gleichen) is identified with Being itself (cf. ibid. p. 12); (cf. ibid. p. 22).

<sup>250</sup> (Being/Time. p. 295)

<sup>251</sup> (Heidegger 1991, p. 12)

<sup>252</sup> (cf. ibid. p. 41); (cf. Heidegger GA6.1, p. 38)

<sup>253</sup> (Fundamental Concepts, p. 25f); (Grundbegriffe, p. 38f)

Heraclitus and Aristotle. Through Nietzsche, he ties *Being and Time*'s Entschlossenheit –where ontic comportment resonates with ontological imposition– to a confrontation of powers: “Because the will is resolute toward itself [Entschlossenheit zu sich selbst], as mastery out beyond itself, because will is a willing beyond itself, it is the strength that is able to bring itself to power [Mächtigkeit, die sich zur Macht ermächtigt.]<sup>254</sup>”.

Resolute mastery of being extends both outward and inward. Up to this point, the ‘external’ aspect of resoluteness has been underdeveloped. §62 presented resoluteness primarily as being’s relation to itself, whereby it acknowledges finitude as both a limitation and a possibility, prompting a self-projection<sup>255</sup>. The *Nietzsche* lectures address this same projective tendency but shift focus to the “mastery” that extends “beyond itself<sup>256</sup>. The might (Mächtigkeit) or power of decisive resolve moves outward, impacting the collective domain of “the they”<sup>257</sup>. Thus, resoluteness transitions from thrown individuation (geworfene Vereinzelung) towards engagement with the world<sup>258</sup>.

Similar to the account in §62, Heidegger maintains that such willing cannot be willed into existence; it is a modality of existence, not a precondition or outcome: “Will itself cannot be willed. We can never resolve to have a will, in the sense that we would arrogate to ourselves a will; for such resoluteness is itself a willing [Entschlossenheit ist das Wollen selbst]”<sup>259</sup>. Resoluteness thus remains an existential modality, characterising beings through its capacity (Vermögen) to decide. It is only through the decision to project oneself as a specific being that decisive existence becomes possible. As Heidegger later notes in his reflections on Nietzsche’s differentiation between perspective and horizon:

looking through toward the possible, goes towards chaos in the sense of the urgent and becoming world, yet always within a horizon. The horizon that prevails in the schematisation [waltend in der Schematisierung] is for its part always only the horizon of a perspective. The horizon, which sets limits and stabilises, not only fixes chaos in certain respects and thus secures the possible,

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<sup>254</sup> (cf. Heidegger 1991, 42 [slightly modified]); (Heidegger GA6.1, p. 39)

<sup>255</sup> *Sein und Zeit* theorises Dasein’s decisive (entschlossen) openness towards the world through a related term: Erschlossenheit (Sein/Zeit §40).

<sup>256</sup> (cf. Heidegger 1991, p. 41)

<sup>257</sup> (Being/Time. p. 295)

<sup>258</sup> (cf. Sein/Zeit, §58, p. 280)

<sup>259</sup> (cf. Heidegger 1991, p. 46); (Heidegger GA6.1, p. 43)

it also first lets chaos appear as chaos through its transparent stability [durchsichtiges Beständiges]<sup>260</sup>.

In this passage, which combines Heraclitus's kosmos with Nietzsche's perspectivism, Heidegger clarifies how schematic perspectives prevail through being. For Heidegger, as informed by Nietzsche's eternal recurrence, there is no overarching horizon of Being<sup>261</sup>. Instead, Being prevails only through individual perception, although this perception remains framed by the common horizon of Being. Yet, this horizon is transient, violent, and it is within this unstable horizon that beings assert their resoluteness.

To finalise this section, and before concluding this chapter, I return these reflections on decisional resolve to the question of Walten. This enables a re-examination of Heidegger's peculiar understanding of difference— a difference that allows beings to form themselves decisively and one that appears to favour a particular notion of resolve. Heidegger, drawing from Nietzsche, terms this mastery, linking it to the existential decision made in the face of Walten's violence: "In such decisiveness of willing, which reaches out beyond itself, lies mastery over [Herrschaft über]..., having power over what is revealed in the willing and in what is held fast [Ergriffenes] in the grips of resoluteness"<sup>262</sup>.

Derrida, in discussing the relationship between Heidegger and Schmitt, alludes to Heidegger's decision to entrust "a few" with the responsibility to respond to or correspond with Being<sup>263</sup>. This Entsprechung (correspondence) operates through Walten, emphasising that while all beings are modalised by resoluteness, only a select few possess the capacity to act with exceptional decisiveness<sup>264</sup>. Such an exceptional existential act depends on a particular understanding of physis, logos, and Walten.

To φύσις, to the prevailing of beings as a whole, there belongs this λόγος. [...] From this it necessarily follows that the fundamental function of λέγειν [legein, speech] is to take whatever prevails from concealment. [...] In the λόγος the prevailing of beings becomes revealed, becomes manifest. [...] In other words,

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<sup>260</sup> (cf. Heidegger 1987, p. 88); (ibid. p. 517f)

<sup>261</sup> This does not preclude Heidegger from perceiving repetition or recurrence as the modus of Entschlossenheit, resoluteness (cf. Sein/Zeit, §74, p. 386).

<sup>262</sup>(cf. Heidegger 1991, p. 41); (Heidegger GA6.1, p. 38)

<sup>263</sup> (Derrida 1993, p. 190)

<sup>264</sup> "this knowledge must itself arise from an authentic disclosure [eigentliches erschließen] if it is to correspond to authentic resoluteness." (Being/Time, p. 295); (Sein/Zeit, p. 308)

philosophy is meditation upon the prevailing of beings, upon φύσις, in order to speak out physis in the λόγος<sup>265</sup>.

Through logos and the practice of unconcealment –whether silent or vocal– beings participate in the prevalence of the world. As Heidegger suggests in his interpretation of Parmenides, the relationship between physis and logos can be summarised in the assertion that φύσις and λόγος are the same<sup>266</sup>: “Being, physis, is as sway [Walten], originary gatheredness: logos<sup>267</sup>. This equation expresses the impossibility of evading the Walten of φύσις, as it asserts a fundamental equivalence between the revealing capacity of logos and the prevailing force of Being. Both operate in a mode of gathering and unconcealment, forming an essential unity that governs existence:

Human beings, as those who stand and act in logos, in gathering, are the gatherers [im λόγος, in der Sammlung, Stehende und Tätige]. They take over and fulfil the governance of the sway of the overwhelming [die Verwaltung des Waltens des Überwältigenden]<sup>268</sup>.

This passage highlights Heidegger’s vision of resolute projection (entschiedener Entwurf), emphasising the role of beings as consolidators (Verwaltende) of the Walten of physis<sup>269</sup>. Heidegger identifies certain resolute beings as those who govern the overwhelming sway of Being. All beings are modalised by this violent modus, yet this does not prescribe any specific resolution; rather, resoluteness is considered an originary feature of Dasein’s self-formation. Without reflecting this violent Walten, self-formation remains indecisive.

Heidegger’s thoughts culminate in what can be termed *ontological sovereignty*, describing a condition where beings must project themselves in response to the violent sway of Being. In the absence of such a response, self-formation becomes indecisive, failing to embody the violent Walten of physis. Ontological sovereignty thus concerns a notion of Being devoid of a stable essentia; rather, it describes a primordial or originary condition that violently sets beings into existence<sup>270</sup>.

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<sup>265</sup> (Fundamental Concepts, p. 27f); (Grundbegriffe, p. 40ff)

<sup>266</sup> (cf. Introduction, p. 100). As Derrida notes, the *Introduction* also equates polemos and logos (cf. Derrida 1993, p. 198). This leaves the reader with an equation between physis as conceived through Walten, polemos, and logos.

<sup>267</sup> (Introduction, p. 171); (Einführung, p. 123)

<sup>268</sup> (ibid. p. 183); (ibid. p. 131f)

<sup>269</sup> (cf. Fundamental Concepts, p. 24)

<sup>270</sup> Being is thus nothing but the violent setting of/for being.

This sovereignty operates through the inevitable mode by which Being modalises and determines beings. The failure to project oneself within this context leaves one lost to oblivion. Crucially, this understanding of sovereignty differs from traditional notions, as it does not rely on fixed essence or self-referential closure<sup>271</sup>. Instead, it reflects an existential condition where beings are thrown into the world and must decisively shape themselves within the primordial, indeterminate sway of Being. Through this view, sovereignty becomes a task of continual self-formation, shaped by the confrontation with the violent forces that govern existence.

These formative procedures are inherently fragile. While Heidegger prescribes a violent confrontation with the dominant sway of existence, he acknowledges that such processes of founding are transient. Nevertheless, he insists that resoluteness is a necessary precondition for deciding whether to administrate, consolidate, or oppose the violent prevalence of the world. Resoluteness, in its minimal form, might be nothing but an acknowledgement of finitude. As Dasein is finite, beings must project an existence within this fleeting presence. When this projection (Entwurf) fails to account for the prevalence of existence, Heidegger considers it insufficiently decisive. One could thus suggest –though this is not Heidegger’s dictum– that the sovereignty of Being, difference, physis, or Walten, necessitates sovereign beings.

Heidegger perceives only a select few as capable of opposing Walten by countering its force through their own creative violence<sup>272</sup>. This opposition, as he articulates, is itself a form of violence that he locates in “poetic speech” in the “thoughtful projection,” and –particularly drastic, considering Heidegger’s politics– in “state-creating action”<sup>273</sup>. These violent acts, exemplified by those “capable of creation” (die Schaffenden), manifest as a: “disciplining and disposing of violent forces [ein Bändiggen und Fügen der Gewalten]”<sup>274</sup>. Finally, it is only this kind of creation (poiesis) that has the capacity to oppose Walten: “Against the overwhelming sway [überwältigendes Walten], they [the ones who are capable of creation; die Schaffenden] throw the counterweight of their work and capture in this work the world that is thereby opened up.”<sup>275</sup>.

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<sup>271</sup> Rendering it a suitable descriptor for sovereignty in a post-foundational context.

<sup>272</sup> This is not a physiocratic intervention. Rather, it is the decisive response to sway of logos within physis.

<sup>273</sup> (Heidegger 1976, p. 157)

<sup>274</sup> (Introduction, p. 65); (Einführung, p. 47). Being

<sup>275</sup> (ibid.); (ibid.). *Being and Time*’s §74 finds similarly decisive terms for an ontic response to Geschick (destiny), Übermacht (higher power), Ohnmacht (powerlessness): “in resoluteness the choice is first

#### IV. Conclusive and Prospective Remarks

What is ontological sovereignty, as suggested by Heidegger's exposition of prevalence and resoluteness? To provide a preliminary response, I traced Heidegger's metonymic equation of ontological difference with *Walten*. Heidegger assesses both Being and beings through this terminology, allowing him to develop a complex exposition of a violent *modus* that does not substantiate itself beyond the existence it modalises and perpetuates. In doing so, Heidegger submits a notion of self-movement that deconstructs the ancient fallacy of prime movement: How does something move without being moved? Why is this movement inherently conflictual, violent? And to what extent is it nothing but auto-formation in response to the violent sway of existence? These questions, resulting from Heidegger's conceptual co-originality of difference and *Walten*, led me to revisit Heidegger's metaphysical context as conveyed in *The Fundamental Concepts of Metaphysics* and the *Introduction to Metaphysics*.

I then questioned how Heidegger frames his notion of *Walten* through a reading of Heraclitus and Aristotle. *Walten* is used to assess the metaphysical problem of growth. From a Heraclitean perspective, the growth of *physis* unfolds according to its own "measure"<sup>276</sup>. Heidegger seems inclined to conceive of such a measure in Aristotelian terms. In line with the notion of prime movement, *Walten* maintains a minimal *telos*: a differential and violent economy. The polemic sway of prime movement provides the ontological foundation for ontic existence. The question of an ontological *a priori*, in this case, of an originary outset (*outset* and *out-setting*), functions through a violent *modus* that compels resolute beings to respond to its sway. Through *Walten*, Heidegger theorises an elusive foundation, from which beings are dispersed, violently thrown into *Dasein*. Thus, *physis* forces itself into existence. This interpretation of ontological difference conceptually submits a conflictual deferral, indicating what I have termed the destabilisation of ontological difference. While the ontological difference prevails, it differentiates asymmetrically: some beings are more resolutely attuned to this difference than others.

Finally, I extended this debate to §63 of *Sein und Zeit*, detailing how beings are shaped by Being. All beings are subject to what Heidegger terms existential

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chosen that makes one free for the struggle over what is to follow and fidelity to what can be repeated [Entschlossenheit (...), die für die kämpfende Nachfolge und Treue zum Wiederholbaren frei macht.]” (Being/Time §74, p. 367); (Sein/Zeit §74, p. 367).

<sup>276</sup> (Fundamental Concepts, p. 31)

modalisation— resoluteness being one of these modalities. Through resoluteness, Heidegger interprets being's existential necessity to project (entwerfen) itself in the face of death. Despite the sobriety of *Being and Time*, Heidegger's existential ontology favours a particular comportment of being, one that resists the oblivious imposition of the "they" (Man). However, only a select few beings respond decisively enough. Through Heidegger's *Nietzsche* lectures, it becomes clearer that resoluteness requires an opposition to the violent sway of existence. Here, resoluteness is conceived as self-command and mastery. Resolute beings, confronted with the violent sway of Walten, "fulfil the governance of the sway of the overwhelming [Verwaltung des Waltens des Überwältigenden]"<sup>277</sup>.

What does this imply for ontological sovereignty? While I will examine this in detail in Chapter IV, I can already allude to some of its dimensions that have emerged thus far. Heidegger is not a theorist of sovereignty in the traditional sense; for him, the term would likely belong to an anthropological or political register that insufficiently considers the ontological presuppositions at play<sup>278</sup>. Sovereignty, as conventionally understood, would thus theorise an ontic constellation where self-referential governance is at stake. Instead, Heidegger examines the ontological conditions that underlie such governance, focusing on how they modalise existence. Nevertheless, he deviates from this seemingly neutral terrain to engage with a notion of resolve, one that decisively opposes or redirects the violent sway of physis.

Apart from the ontological nuances of Walten as a disjunctive force, it also circumscribes Heidegger's ontological setting. His deconstruction has radically undermined traditional metaphysical constructs, yet it retains a constitutive connection to the thinkers he regards as particularly great (groß)<sup>279</sup>. Consequently, Heidegger presents an ontological vision where previous stabilising constructs have collapsed. Still, he acknowledges that ontological construction involves a process of existential consolidation. For Heidegger, Being is sovereign, and Walten metonymically captures this dynamic, where Being never directly manifests except through beings. In this sense, Being entrusts being with the ontological task of consolidating existence. More precisely, Being forms the horizon within which beings must violently make sense of the world. Heidegger does not stress finitude as a purely relational —where all beings

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<sup>277</sup> (Introduction, p. 183); (Einführung, p. 131f)

<sup>278</sup> Such a notion would require the thought of the polis, as I outline in Chapter 4.

<sup>279</sup> (cf. Heidegger 1991, p. 40); (cf. Heidegger GA6.1, p. 37)

form a precariously finite community– but rather as the starting point for a decisive projection of oneself.

In a confrontational or polemical context, Heidegger calls for beings that resolutely choose to project themselves and decisively oppose the existential sway. Some resolute beings prevail forcefully, powerfully, or even violently<sup>280</sup>. The coterminous use of ontological difference and *Walten* is not merely a slip into voluntarist language; rather, it reinforces Heidegger's framework. Ontological difference serves as the prevailing modus of his ontology. Reading it through *Walten* highlights the asymmetrical, constrained, or unstable features of difference that Heidegger suggests.

Difference is always already in the process of differentiating, thus preventing any direct recourse to differentiation itself<sup>281</sup>. This does not preclude its being read through other modalities in Heidegger's thought. I have chosen *Entschlossenheit* to illustrate how resoluteness modalises all beings while requiring particular resolve to align with its modus, *Being*.

In Chapters II and III, I will depart slightly from the dense ontological language of this chapter. Nonetheless, this analysis remains necessary, as it provides much of the ontological groundwork for the interpretations of Schmitt and Bataille that follow. Heidegger's framework has thus elucidated the functioning of philosophical sovereignty in contexts devoid of stable foundations. In Chapter IV, I will engage in a more comprehensive discussion of these dynamics. Before doing so, I will address the most decisive expression of this sovereignty: the suspension.

While Heidegger provides an account of individual self-formation within a *kosmos* marked by tension, he demonstrates limited concern for how such processes shape political form. To attend to this connection, particularly through a politically oriented conception of sovereignty, I turn to Schmitt.

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<sup>280</sup> (cf. Introduction, p. 100); (cf. Derrida 1993, p. 207)

<sup>281</sup> (cf. *Identität/Differenz*, p. 69)



## 2. Existential Formalism, Homogeneity, Suspension. Schmitt

nothing comes into being from what is not  
Aristotle, Physics, 187a27-187b6

but Nothing is not  
Parmenides, Fragment 5

Quis judicabit?  
Schmitt, Leviathan, Die vollendete Reformation

How does the political take shape, and to what extent does its coming into being shape existence? Carl Schmitt presents an unyielding response: it necessitates decisive authority. Such decisional authority not only cultivates an economy of association and dissociation but also provides the formational outlines for a specifically political form of existence.

While Schmitt's thought is grounded in a specific Begriffsgeschichte, it is regrettable yet symptomatic of its versatility –and the broader political landscape– that his theory remains adaptable to various areas of political thought. The primacy of decisive authority serves as just one example of such adaptations, manifesting in forms as diverse as dictatorial measures or democratic will. Even beyond a narrower theoretical vantage point, Schmitt's thought continues to prevail: enmity persists as an identificatory motive around which political movement and inertia coalesce. While iterations of liberalism (from ordo- to neo- and vice versa) have grown increasingly dominant, Schmitt's conception of the political promptly resurfaces whenever contractual mechanisms threaten to become instable.

Schmitt's texts thus remain enigmatic, informing a spectrum of disparate thinkers<sup>282</sup>. Yet, the discourse of this trained jurist proves challenging to assimilate, as Schmitt defies classification<sup>283</sup>. In this chapter, I will primarily perceive him as a thinker who navigates the sway of political existence<sup>284</sup>. More precisely, my focus lies on the

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<sup>282</sup> His status as an authoritarian theorist has positioned him not only as a privileged object of conservative and fascist thought but also corresponded with the lucidity of thinkers like Benjamin (cf. Benjamin 1991a, p. 887).

<sup>283</sup> Heidegger renounced Schmitt's conception of the political (cf. Heidegger GA54, p. 135). Yet, there seem to be certain parallels that warrant further questioning. As I suggest in Chapter IV, Heidegger's elusive notion of *Walten* appears to accommodate a becoming political of *physis*.

<sup>284</sup> Schmitt's use of the existential dictum requires nuanced consideration. When he refers to existence, he targets what he perceives as a vacancy in existential categories, which he aims to concretise through his own interventions. He occasionally expresses admiration for Kierkegaard,

existential dimension of Schmitt's political-juridical dictum. As I will contend, his existential approach to the political is to be derived from his emphasis on political beings. Thus, rather than focussing on the definitional outlines of 'the' political, I consider the pervasive restraint and the synthetic capacities of political formation.

Schmitt, despite his own intentions, informs the philosophy of the political by redirecting attention from *essentia* towards *existentia*<sup>285</sup>. Aligning Schmitt with this shift towards the existential has significant interpretative implications. After all, he is renowned as the proponent of a drastic notion of sovereignty, the champion of a bellicose logic of association, the theoretician of an apology of the authoritarian decision, and the jurist of a conservative and fascist Europe<sup>286</sup>. Reading Schmitt existentially, therefore, broadens rather than diminishes the reach of his theory. This implies that the political cannot be reduced to the boardroom, the court, or the parliament. It does not primarily derive from a polity with clearly demarcated divisions of power. On the contrary, such institutional confinement might even result in political restraint. When the polity fails to provide a decisive political form, Schmitt envisions a decision that forms a hostile political community or unit. Should a community fail in such a formative attempt, its survival is at stake.

Political form, for Schmitt, never results from nothing. While the sovereign decision might mirror creation *ex nihilo*, Schmitt refrains from theorising originary ontological synthesis<sup>287</sup>. Despite his emphasis on existence, he essentialises certain ontological predicaments, most prominently enmity. These essences cannot be altered. Exemplarily, the only option in the face of enmity is to ontically modalise it, that

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frequently rejects Heidegger, and harbours a clear disdain for what he interprets as French Existentialism (cf. Glossarium, p. 61; 65; 120; 151; 155; 178; 227; 255). Nonetheless, it is not implausible to align some of Schmitt's propositions with what Arendt describes as Existenz-Philosophy: "the word 'existing' is used always in opposition to that which is only thought of, only contemplated; as the concrete in opposition to the mere abstract; as the individual in contrast to the mere universal." (Arendt 2019, p. 272).

<sup>285</sup> Both Arendt and Löwith note this quintessential shift in their programmatic essays on Existenzphilosophie (cf. Arendt 2019); (cf. Löwith 2022a).

<sup>286</sup> The discussion regarding Schmitt's association with Nazism is extensive. Debates range from viewing Schmitt as an opportunist to emphasising his fervent antisemitism (cf. Balakrishnan 2000); (cf. Bendersky 1983); (cf. Gross 2007); (cf. Holmes 1996); (Scheuerman 1999). Some of these debates focus on separating politically 'legitimate' thought from its less legitimate counterpart, attempting to either resuscitate or reject certain theoretical components that can still be critically or uncritically utilised.

<sup>287</sup> Akin to the apophatic theologian, Schmitt's most enigmatic sovereign act –the decision on the state of exception– mirrors creation *ex nihilo*. While this original sovereign deed serves as the primordial political moment (or its rejuvenation), it always responds to divine creation and its concomitant imagery of enmity, which, for Schmitt, remains inaccessible to the sober theoretician and is only within reach of the believer (cf. Glossarium, p. 45; 160; 366). Schmitt negatively retains the ineffability of divine action but theorises the narrow space in which the human decision iterates divine creation and thus gains its greatest traction.

is, to define one's association through dissociation. As a result, Schmitt operates in a rather narrow ontological field that only allows for the modulation rather than transformation of political form. Political formlessness, understood as political agency without a clear outline, is irrelevant to such thought. The sovereign decision to distinguish friend from foe will always be necessary. Below, I use the framework of what I propose to consider as *existential formalism* to outline the parameters of Schmitt's political ontology.

Schmitt's formalism is not, I argue, political-theoretical or juridical formalism in its traditional sense<sup>288</sup>. Neither does it bear a relation with literary-theoretical formalism<sup>289</sup>. Schmitt, acutely conscious of concrete historical circumstances, is not an anti-material thinker. Thus, his formalism does not presume the autonomy of form. Rather, it assists his analysis of contingent political foundations and the assessment of the presumed need for their continuous perpetuation (i.e., ontological enmity requires the ontic formation of political units that acknowledge hostility).

Ultimately, my focus on Schmitt's formalism highlights his sensitivity to the (dis)continuity of political form. He is convinced that the political structures of an era correspond to its metaphysical forms<sup>290</sup>. Consequently, Schmitt's approach is of a political-philosophical character rather than a purely juridical one. The central form or structure of his analysis is the suspension. Schmitt's suspension rarely entails the destruction of existing axioms; instead, it is an incidental interregnum in which old or even originary forms, previously suppressed, are reformulated. This *suspension merges disparate parts, ensuring provisional homogeneity*, however contingent it may be.

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<sup>288</sup> As Schmitt frequently critiques juridical formalism, assessing him through a formalist frame may seem misleading. However, I suggest accepting this potential equivocation, as it allows emphasising Schmitt's interpretative strategy, which operates across multiple theoretical domains, including philosophy, sociology, and theology. In legal theory, formalism is opposed by legal realism. While formalism views the law as a closed and coherent system, realism stresses gaps and contradictions that necessitate decisional agency. From this perspective, formalism asserts the law's structural integrity, where realism recognises its formal insufficiencies (cf. Leiter 2010, p. 114f). Schmitt's thought cannot be confined to a strictly juridical analysis, as he never underestimates the law's politics. If one were to adopt an epochal perspective, Schmitt seems to occupy an intermediary position that could be termed realist formalism. My emphasis, however, concerns his ontic and ontological analyses of political form, and I thus propose to interpret Schmitt as an existential formalist. Below, I detail the implications of this interpretation.

<sup>289</sup> From *Befremdung* in Novalis, to *Verfremdung* in Brecht, or *ostranenie* in Shklovsky, both juridical and literary-theoretical formalism derive autonomous meaning from form and formal relations (cf. Berlina 2017, p. 26). Schmitt, however, does not insist on formal autonomy, but rather marks its existential purview. This formal reach becomes particularly relevant in relation to political survival. In Schmitt's view, coordinated political form is decisive, as formlessness precludes a political unit from decisively modalising itself.

<sup>290</sup> (Schmitt 1998, p. 16), which will be cited as *Pol. Romantik*.

As in the ensuing chapters, I perceive the notion of suspension quite literally. Etymologically, suspension implies a temporary halt, a juridical abeyance, that is, temporary disuse. Furthermore, it refers to something hanging by being supported from above. Lastly, it implies *dispersed particles that are prevented from fragmenting*<sup>291</sup>. I consider this meaning illustrative when speaking about political form. Political suspension, in Schmitt's sense, then refers to a scenario where a force, sovereign or not, temporarily causes these particles to homogenise. According to my interpretation of Schmitt, he focuses solely on the homogenising capacity of political formation, ignoring the observation that the suspension's *turbidity* –i.e., *the forceful conflation of particles*– might also represent a moment of political heterogeneity and formlessness. Regardless of the emphasis, Schmitt's central structural principle in this suspension remains political enmity<sup>292</sup>.

This kind of formalism allows Schmitt to analyse or even propose significant shifts in the outlines of political-juridical structures without conceding to any form of revolutionary thought. Schmitt's arch-conservatism, as suggested through the suspension, ensures the continuity of homogenous communities. For any political form to be decisive, it requires the suspensive force of a sovereign authority. This force permits the intermediary suspension of laws without destabilising "order" as such<sup>293</sup>.

Whether considered as decisional authority, a formational will, or the sovereign tout court, this ordering or structuring modality represents, I argue, a response to Schmitt's central political modus: enmity<sup>294</sup>. Differing historical responses to this modus temporalise individual political "units"<sup>295</sup>. When ontic hostility withers, the suspending decision is required to re-modalise this central modus, this formational principle. This decision perpetuates the context of political existence. Existence thereby becomes the frame of Schmitt's formalism which focuses its analysis on the concrete, material, or realist conditions of political being. His guiding question mirrors that of Hobbes: "quis iudicabit?" Who decides and whose decision bestows form<sup>296</sup>?

Schmitt's formalist or structuralist concept of existence underlies his critique of the empty or "presuppositionless" formalism of legal positivism and in his conviction

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<sup>291</sup> (cf. Oxford English Dictionary 2024, <https://tinyurl.com/SuspensionOED> [last access 03.08.2024; 12:20])

<sup>292</sup> In this sense, Schmitt is closer to the teleological structuralism of Jakobson than to Saussure's antiteleological approach (cf. Jakobson 2017, p. 449f).

<sup>293</sup> (Pol. Theologie, p. 18)

<sup>294</sup> (cf. Schmitt 2015b, p. 50), which will be cited as Begriff d. Politischen.

<sup>295</sup> (Schmitt 2017c, p. 49), which will be cited as Verfassungslehre.

<sup>296</sup> (cf. Leviathan, p. 166ff)

regarding the necessity of the decision— a decision that not only reflects the potential arbitrariness of authority but also ensures political continuity within an ontology of suspension<sup>297</sup>. For Schmitt, the continuity of decisive authority allows for the formation of political unity, a unity that always presupposes homogeneity.

Before analysing Schmitt's existential formalism and his homogenising suspension, I review two influential readings of Schmitt's work: those of Karl Löwith and Heinrich Meier. As one of Schmitt's early critics, Löwith not only emphasised Schmitt's peculiar existential commitment but also insisted on his authoritative focus on the decision. By combining this emphasis with Schmitt's critique of Romanticism, Löwith perceives Schmitt as an occasionalist decisionist for whom the decision, irrespective of its reasoning, remains the decisive criterion of the political. Meier, like Löwith, acknowledges Schmitt's existential commitment but rejects the emphasis on secularisation advanced by Löwith. For Meier, Schmitt must be understood as a political theologian who theorises political responsibility as a divine imperative. After addressing these readings and acknowledging both my indebtedness to and divergence from them, I briefly outline the traditional understanding of legal formalism to clarify potential ambiguities with my notion of an existential emphasis on form.

In Section II, I assess Schmitt's rejection of non-political formlessness to account for his assessment of sovereign form. For Schmitt, only the latter grants a political structure where the continuity of a normative framework is assured. These structures not only require decisional authority but also insist that authority confines itself to simple either/or choices; the decision allows no gradation. Whether in times of emergency or exception –which initially are not the same for Schmitt– his decision eludes the conventional understanding of a norm. According to him, no norm applies in states of unrest, as a stable medium is required for its application. Through sovereign form, as opposed to non-political formlessness, order prevails. Thus, it is unsurprising that Schmitt favours the authoritarian continuity of order over what he perceives as formless disorder. He seeks to ascertain this continuity through the formal capacity of the suspension. I understand this capacity as the decisional authority to simultaneously de- and re-formalise political structures.

Section III addresses Schmitt's existential commitments, interpreting his formalism as a decisive response to the phenomenon of the political. In articulating the necessity of a foundational and formational will for both constitutional and political

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<sup>297</sup> (cf. Schmitt 2012, p. 11), which will be cited as *Legalität/Legitimität*.

existence, Schmitt –unwilling or unable to envision political existence beyond a sovereign outline– proposes a notion of legitimacy that transcends both natural law and legal positivism. This legitimacy, rooted in an obscure emphasis on conscious determination, is based on the authority of the decision, which must contend with Schmitt's negative anthropological conviction that existence is fundamentally conflictual. Enmity becomes the ontological precursor of ontic political formation. I thus assess Schmitt's emphasis on enmity as the modus and the decision as the modality of his existential notion of the political, thereby marking the similarities and differences with Heidegger's assessment, as proposed in the previous chapter. According to my reading, the decision's capacity to suspend operates as the catalyst of political modalisation.

Section IV summarises my interpretation of existential formalism, stressing the conceptual role of suspension in the formation of Schmitt's sovereign units. By stressing the homogenising capacity of the suspension, Schmitt is able to theorise lasting shifts in political outlines without conceding to more significant political transformations that might disrupt the homogeneity necessary for his political communities. For Schmitt, the exception represents the loss of a homogeneous basis where the conventional rule of law can no longer apply. His sovereign thus restores homogeneity amid otherwise disparate political predicaments. In other words, the sovereign's decision sustains the political unit in the face of disunity by prompting it to gather around a common opponent. However, the need for that decision implies the 'threat' of dispersal, heterogeneity, and turbidity. Schmitt fails to engage with these other dimensions of suspension. While these might represent veritable political forms, their existence is, for Schmitt, inherently constrained. The heterogeneous decays while the homogenous persists.

Schmitt's ontological definitions both prescribe the ensuing politics and nuance an understanding of disparate but related political forms. Schmitt, while arguing that political Being is solely legible through political beings, upholds an essentialist understanding of timeless ontological form<sup>298</sup>. He posits political transcendence within existence: he is not a theoretician of ontology but an ontological thinker.

What are the ramifications of Schmitt's peculiar existential rigour? As the political is determined existentially, so too is existence shaped politically. Like

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<sup>298</sup> Schmitt engages in ontological thinking, where the decision brings the political into existence. However, he refrains from thinking ontology itself, as this would require a conception of 'the' political, which, for Schmitt, remains inaccessible.

Heidegger's physis, which encompasses the entirety of existence, acknowledging such a formational reach becomes a symptomatic perspective when considering sovereignty. Both Heidegger and Schmitt allow for discontinuous structures; however, through the lens of sovereignty, they prescribe decisive existential forms. All other forms succumb to irrelevance— an irrelevance that bears archaic marks. Be it through *Seinsvergessenheit* or depoliticisation, both result in the failure to properly respond to one's existential 'obligation'.

## I. Interpreting Schmitt

To further establish my interpretation of Schmitt, I examine two contrasting accounts of his work, found in the readings of Karl Löwith and Heinrich Meier. While these readings tentatively agree on the existential dimensions of Schmitt's thought, they diverge on the significance of theology in his understanding of the political<sup>299</sup>. I therefore set aside most interpretations that focus primarily on Schmitt's politics, legal theory, or those that ignore his existential premises<sup>300</sup>. Löwith's and Meier's interpretations help delineate the distinction between legal formalism and what I perceive as Schmitt's existential emphasis on form.

Löwith's 1935 article: *Der okkasionelle Dezisionismus von C. Schmitt (The Occasional Decisionism of C. Schmitt)* presents a secularisation thesis. Löwith interprets Schmitt's theory as retaining theological undertones through its transference of ecclesiastical diction to the political sphere. Additionally, Löwith turns Schmitt's own notion of Romanticism against him. According to Schmitt, the Romantic is characterised by an irresponsibly hyperbolic attachment to the self, swaying from one reifying occasion to the other. Against the sway of such occasions, which are either

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<sup>299</sup> This raises the question of whether Schmitt seeks to "revive" the divine within the secular order (Croce/Salvatore 2022, p. 10).

<sup>300</sup> William Scheuerman defends "liberalism's most basic protections against arbitrary power", positioning himself among the many scholars provoked by Schmitt's scathing critique of the liberal rule of law (Scheuerman 1999, 2f). For Scheuermann, Schmitt represents "a fatal mix" of authoritarianism, antisemitism and illiberalism (cf. *ibid.* p. 255). Similarly, Stephen Holmes analyses both the "strengths and shortcomings of [Schmitt's] antiliberalism." (Holmes 1996, p. 43). Ultimately, he rejects the relevance of Schmitt's criticisms, which often "simply miss their mark" (*ibid.* p. 57). While both Scheuermann and Holmes are primarily concerned with refuting Schmitt's critique of liberalism, Gopal Balakrishnan takes a different approach, focusing on an "intellectual cartography" of Schmitt that addresses the "perpetual flux" of his political positions, presenting an "alarming discontinuity" (Balakrishnan 2000, p. 5). Balakrishnan envisions an "intellectual reckoning" that re-establishes the narrative arc of Schmitt, contrasting more idiosyncratic "interpretative prisms" that solely pertain to one or another "arcane-sounding" formulation (*ibid.* p. 8).

marked by political disinterest or a classicist apology, Schmitt insists on the politics of the sovereign decision<sup>301</sup>.

However, as Löwith propounds, the sovereign decision only arises from the occasional circumstances of the respective political situation<sup>302</sup>. Schmitt's disavowal of Romanticism merely serves to highlight his own theoretical indebtedness to it. As Schmitt insists, Romanticism is marked by a denial of causation and an overemphasis on the occasion<sup>303</sup>. Where the Romantic posits the self, Schmitt situates the sovereign. The sovereign inaugurates the state of exception, unfettered by causal logic and reliant solely on its own authority. Finally, it is the notion of the sovereign that ties Löwith's Schmitt to the theological: the exception mirrors the miracle of theology<sup>304</sup>.

Löwith tacitly agrees with Schmitt's proposal that the principles of modern state theory are derived from a secularised framework<sup>305</sup>. However, Löwith denounces Schmitt's occasionalist sovereign, whose sole commitment is to the decision itself. Löwith terms this a decision for decisiveness ("eine Entscheidung für die Entschiedenheit"<sup>306</sup>). This resolute decision is particularly evident in existential confrontations, with war being the most privileged example where the political decision determines survival.

Löwith proposes that Schmitt's notion of political being is to be situated in an existential understanding of the conflictual. Nevertheless, as Löwith concedes, Schmitt seems to alternate (schwanken) between an occasionalist and a substantialist notion of the political. He is not concerned with the polis but only with the ius belli. The laws of war and conflict determine enmity, friendship, and ultimately, political being. At times, these laws dictate the exception or a deepening of enmity. Despite, or exactly due to, such fluctuation, Löwith regards Schmitt as an occasionalist who nevertheless accentuates the existential import of the decision<sup>307</sup>. For Löwith, Schmitt's theological dimension merely underscores the precarious divide that every attempt at secularisation must contend with.

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<sup>301</sup> (cf. Pol. Romantik, p. 34f). Towards the conclusion of *Politische Romantik*, Schmitt insists on the inherent incompatibility between a Romantic and a political position, claiming that any political stance must stand in opposition to the mere aestheticism of the Romantic (cf. *ibid.* p. 164). Despite Schmitt's rejection, Löwith accommodates Schmitt's decisionism within the occasionalist economy of Romanticism.

<sup>302</sup> (cf. Löwith 2022b, p. 40)

<sup>303</sup> (cf. Pol. Romantik, p. 18)

<sup>304</sup> (cf. Löwith 2022b, p. 39)

<sup>305</sup> (cf. Pol. Theologie, p. 43); (cf. Pol. Theology, p. 31f)

<sup>306</sup> (Löwith 2022b, p. 44)

<sup>307</sup> (cf. *ibid.* p. 48ff)



In his discussion of Schmitt, Heinrich Meier endeavours to refute the secularisation theorem<sup>308</sup>. For Meier, interpretations following Löwith's do not merely disregard Schmitt's affirmative remarks on theology, but also his unwavering faith<sup>309</sup>. Meier contends that these interpretative omissions risk a grander misapprehension: the ambiguous delineation between political philosophy and political theology. The political theologian and the political philosopher presumably meet in their refusal of every unpolitical metaphysics and part ways in their opposing recourses to faith or reason<sup>310</sup>.

Meier elaborates on this by examining the dialogue between Schmitt and Leo Strauss. According to Strauss's political philosophy, the apophantic pursuit of what is right and wrong establishes the foundational law of the political, a pursuit guided by reason. Where Strauss leans towards Athens (to borrow his own dictum), Schmitt privileges Jerusalem. In other words, if one follows Meier's interpretation, Schmitt's central theoretical recourse is not to the theologian's commentary on scripture, but to the Christian's reliance on faith. In this view, Schmitt's fundamental query is less a matter of critical investigation than an acknowledgement of a divine appeal to choose one's enemies and friends.

Meier interprets the division between political philosophy and political theology as an unbridgeable chasm or an existential alternative<sup>311</sup>. According to this division, the political philosopher who persists in contemplation fails to respond to political theology's central call to decide between enmity and friendship, good and evil<sup>312</sup>. For Meier's Schmitt, the affirmation of the political implies an affirmation of a moral commandment. Responding to this moral commandment is an act of theological responsibility<sup>313</sup>. Accordingly, Schmitt's division rests not on scholastic nuance but on

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<sup>308</sup> Particularly in: *Carl Schmitt, Leo Strauss und der ‚Begriff des Politischen‘. Zu einem Dialog unter Abwesenden (Carl Schmitt and Leo Strauss: The Hidden Dialogue) and Die Lehre Carl Schmitts: Vier Kapitel zur Unterscheidung Politischer Theologie und Politischer Philosophie (The Lesson of Carl Schmitt: Four Chapters on the Distinction between Political Theology and Political Philosophy)*.

<sup>309</sup> Whoever speaks of accidental enmity, as Schmitt comments, ignores *Genesis 3:15* (cf. Meier 2013, p. 36): "And I will put enmity between you and the woman, and between your offspring and hers; he will crush your head, and you will strike his heel." (Bible 2024, <https://tinyurl.com/GenesisIII15> [last access: 03.08.24, 12:20]).

<sup>310</sup> (cf. Meier 2011, p. 41)

<sup>311</sup> (cf. Meier 2013, p. 50f); (cf. Meier 2011, p. xv). In this context, Meier questions: "What could be less immaterial than the distinction between a thought that wants to move and conceive itself in the obedience of faith and one that is not bound by any authority and spares nothing from its questions? [...] Whereas political theology builds unreservedly on the *unum est necessarium* of faith and finds its security in the truth of revelation, political philosophy places the question of what is right entirely on the ground of 'human wisdom.'" (ibid. p. 42).

<sup>312</sup> (cf. ibid. p. 17)

<sup>313</sup> (cf. Meier 2013, p. 54)

existential poles<sup>314</sup>. Whatever these poles may be, Meier interprets Schmitt's polemical resolve as a staunch attempt to defend the presumed necessity of making a moral decision<sup>315</sup>. In light of this resolve, Schmitt's theoretical insistence becomes a search for the authoritative (das Maßgebende) in the political<sup>316</sup>.

Löwith delineates the precarious sway of the political decision, whereas Meier underscores the theoretical prominence of Schmitt's faith. While both recognise certain existential facets, they diverge on how profoundly these characterise Schmitt's thinking. Meier, perhaps precipitously, finds inadequate any interpretation that interprets Schmitt's theory of the political as solely existential, while Löwith overemphasises the occasional caprice of the authoritative decision<sup>317</sup>. Meier declares Schmitt's theory to be indicative of a larger schism between political theology, political philosophy, and their unpolitical counterparts. For him, political philosophy is the sole path which allows thought to advance without recourse to faith. Löwith, in turn, supports Schmitt's claim of engaging in a secular sociology of the politico-theoretical legacy, which should not underestimate theological remainders. While Löwith acknowledges Schmitt's theoretical intuition, he denounces the authoritarian caprice that grounds his notion of the sovereign.

Both interpretations recognise Schmitt's existentialism. Meier views it as peripheral, focusing on political responsibility, while Löwith emphasises the decisive role of finitude in Schmitt's thought, where political decisions, made in the face of enmity, become matters of survival. Meier's interpretation precludes any assessment that diverges from seamlessly associating Schmitt with political theology. For Meier, political philosophy (unlike its non-political iteration) and political theology are thoroughly incommensurable<sup>318</sup>.

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<sup>314</sup> (cf. *ibid.* p. 163)

<sup>315</sup> (cf. Meier 2011, p. 11)

<sup>316</sup> (cf. *ibid.* p. 30)

<sup>317</sup> Curiously, Meier diminishes the existential dimension of the political by underscoring that the demand to make a decision about enmity and friendship stems from an individual requirement rather than a communal impetus: "the individual is required to make the right distinction between friend and enemy as the absolute decision about his [sic] own life. The oppositions [...] become political oppositions not because the community makes the quarrel about them its cause." (Meier 2011, p. 56). This interpretation invites comparison with Kierkegaard's *Fear and Trembling*: "The paradox of faith, then, is this: that the single individual is higher than the universal, that the single individual [...] determines his [sic] relation to the universal by his relation to the absolute" (Kierkegaard 1983, p. 70).

<sup>318</sup> Hence, philosophy must first become political in order to challenge such stupor (cf. Meier 2011, p. 42). "[...] the question which is co-original with philosophy and for the sake of which philosophy must become political philosophy: quid sit deus?" (*ibid.* 86).

In my interpretation, I draw from both readings while slightly lessening their reach. I align with Löwith's emphasis on Schmitt's focus on finitude. In the face of Schmitt's negative anthropology, political survival is at stake. The inevitability of conflict requires an ontic decision. However, Löwith's insistence on Schmitt's occasionalism seems overstated. While Schmitt might oscillate between authoritarian constellations, as long as the consolidating, formational, or ordering principle of the decision endures, that decision –though confronting varying material circumstances– demarcates friend from foe to 'protect' unity. Schmitt's decision remains consistent.

Meier restricts Schmitt's inquiry to the disciplinary bounds of political theology and disagrees with both Schmitt's and Löwith's suggestions. For him, they insufficiently acknowledge the theological indebtedness of Schmitt's politics. These are Christian and thus exert a religious demand. The question of enmity and the suspensive capacity of the sovereign must align with religious imperatives. Meier gestures towards the peculiarity of Schmitt's ontological commitment but situates it in the dead-end of non-philosophical theology. Here, certain predicaments cannot be questioned. Against this limitation, I suggest interpreting Schmitt's ontological immobility –an immobility that does not extend into his ontic dexterity– through his peculiar formalism. To clarify my thesis, I will briefly address the conventional understanding of formalism in legal theory.

Jurisprudential readings limit their concern to the status of Schmitt's legal theory, which is neither materialist, naturalist, positivist, nor formalist<sup>319</sup>. Schmitt maintained a particularly conspicuous disagreement with Hans Kelsen, whom he criticised frequently<sup>320</sup>. For Schmitt, Kelsen advocates a procedural interpretation of norms– a "pure" system in which the norm itself is to minimise the idiosyncrasy of a will or a decision<sup>321</sup>. In other words, legal positivism, as represented by Kelsen, envisions a structure where the comprehensive legal autonomy of the norm, and its corresponding system, replaces the need for a sovereign. When positivists, proceduralists, or formalists mention sovereignty, it is the "sovereignty of the constitution" or the "sovereignty of justice and reason", not the sovereignty of a decision<sup>322</sup>.

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<sup>319</sup> (cf. Croce/Salvatore 2022, p. 10)

<sup>320</sup> These rejections can be located in many passages of Schmitt's major works. For example (cf. Schmitt 2015c, p. 145), which will be cited as *Diktatur*; (cf. *Pol. Theologie*, p. 14; 20), and (cf. *Verfassungslehre*, p. 8f; 55; 252), to list but a few.

<sup>321</sup> (cf. *Verfassungslehre*, p. 201); (cf. Schmitt 2008, p. 235), which will be cited as *Constitutional Theory*.

<sup>322</sup> (*Constitutional Theory*, p. 235). Schmitt mentions the insufficiency of a 'purely' procedural understanding of the constitution, as this perspective does not account for situations where the constitution must be replaced or suspended. Procedural definitions focus only on amendments and designate who has the authority to enact such changes (cf. *Verfassungslehre*, p. 20); (cf.

For Schmitt, this equates to a lack of sovereign grounding. The role of the sovereign is beyond the grasp of the norm. A decision is needed to ensure the operation of a normative framework. While legal positivism attempts to sublimate the sovereign through procedural norms, Schmitt cannot think of a norm that would independently mark the exception. A decision is needed to declare it. This decision requires formational authority, an authority that might be extra-legal.

Formalist's juridical focus omits the question of the law's foundation, which, for them, does not concern legal science. Kelsen contends that nothing beyond the law's formal structure pertains to legal theory<sup>323</sup>. Schmitt rejects this, arguing that the legal order cannot be studied solely through its form<sup>324</sup>. I follow Löwith in emphasising Schmitt's implicit focus on political finitude. For Schmitt, the legal structure reflects a specific epoch in the political development of a community. This structure can never anticipate every possible scenario, nor is it autonomous. The finite political community, according to Schmitt, has the obligation to give itself a decisive form— one that cannot be legally inferred but requires conscious acknowledgement of its imperilled, fleeting existence. This existence, for Schmitt, is always threatened by an opponent. Conventional juridical formalists, when assessing the application of a law, infer from the formal integrity of the juridical structure without considering the existential conditions that may render these formal predicaments futile. Schmitt, however, consistently retains an extra-legal—that is, political— domain that the law must serve, not vice versa.

Schmitt is usually regarded as a vocal opponent of legal formalism, which he perceives as an ahistorical form of positivism<sup>325</sup>. For Schmitt, no legal apparatus can determine the political modus and the modalities he deems vital: political enmity, as the distinction between enemy and friend, and the decision with its concomitant capacity for formal suspension. Schmitt thus bases his rejection of legal autonomy on the simple reason that a procedural system cannot anticipate every exception that will unsettle its form. However, Schmitt's response is not anti-formalist; he demands a

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Constitutional Theory, p. 74). In the face of an existential decision, all norms become secondary. Before the norm stands the political decision made by the constitutive power (*verfassungsgebende Gewalt*), the constitutive will (cf. *ibid.* p. 23); (cf. *ibid.* p. 77).

<sup>323</sup> (cf. Croce/Salvatore 2022, p. 9)

<sup>324</sup> “the norms and procedures that make it a mechanical system of regulation.” (*ibid.* p. 15).

<sup>325</sup> (cf. *Diktatur*, p. XX)

decisive existential response that is based on an either/or structure: is a political unit in a state of exception, or not? Has it determined its political enemies, or not?<sup>326</sup>.

The formalism proposed by legal positivists (i.e., a “pure” system of norms), is, for Schmitt, formless; it does not grant a political structure. In the wake of such political formlessness, Schmitt constructs a more severe form of the political<sup>327</sup>. Against the empty formalism of legal positivism, Schmitt proposes an existential notion of political form, grounded in a realist conception of existence. It is through these forms that concrete political units –and, more importantly, sovereignty– are to be studied.

Having attended to the interpretative directions a reading of Schmitt might take, the following section considers sovereign form through an illustration of political formlessness. This analysis follows Schmitt’s early writing on Romanticism, through to his work on dictatorships, up to his well-known reflections on political theology. The common denominator of these works is their insistence on a normative framework that defies the formless.

## II. Occasional Formlessness, Sovereign Form

No epoch exists without its corresponding form<sup>328</sup>. Should an epoch fail to establish an appropriate form, it will adopt substitutes or surrogates from other periods (Zeiten) and peoples (Völker). These surrogates, lacking genuine (echte) correspondence, will soon be replaced<sup>329</sup>. When Schmitt refers to such epochal schemas, he considers at least two fundamental aspects: form itself, with its formational and structuring capacity, and metaphysics<sup>330</sup>. For Schmitt, the metaphysical implies a transcendental spiritual structure (geistige Struktur) that operates as a final intellectual instance, an absolute

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<sup>326</sup> “Every genuine conflict reveals the simple either/or of the mutually exclusive principles of political form [Entweder–Oder der einander ausschließenden politischen Formprinzipien].” (Constitutional Theory, p. 105 [slightly modified]); (Verfassungslehre, p. 54).

<sup>327</sup> Schmitt’s formalism emerged in a pivotal phase of transition. Within legal theory, the interregnum of both World Wars was marked by a dispute between legal positivists and legal scholars who sought to retain material elements from the increasingly neglected field of natural law. Schmitt occupied an intermediary stance between these perspectives, adhering to a normative position while reproaching the moral emptiness –later glossed as a rule of legitimacy rather than legality, and ultimately described as the “tyranny of values”– of a procedural system, such as Kelsen’s pure theory of law, *Reine Rechtslehre* (cf. Kelsen 1981); (cf. Schmitt 2012); (cf. Schmitt 2020); (cf. *Diktatur*, p. 116). In this context, Schmitt inscribes his existential commitment to political form. This form necessitates authority, particularly one that prescribes the need for a structural centre whose orbit only includes definitive distinctions.

<sup>328</sup> “keine Zeit lebt ohne Form“ (Pol. Romantik, p. 16).

<sup>329</sup> (cf. *ibid.*)

<sup>330</sup> Schmitt largely disregards the morphological complexities of transformation, nor does he consider the possibility of formlessness evolving into a formal requirement of its own.

centre. In his implicit metaphysics, first articulated in 1919's *Politische Romantik* (*Political Romanticism*), the centre would be a Christian God<sup>331</sup>. This does not imply that Schmitt is unable to acknowledge secularisation— an acknowledgment that might be admonition.

In a secular world, the metaphysical centre is vacated and then filled by humanity or history<sup>332</sup>. Whether one accepts this depiction of modernity or not, Schmitt seeks formational stability, a concrete outline. Part III of 1922's *Politische Theologie* (*Political Theology*) suggests a similar account. All concepts of modern state theory, according to Schmitt, are secularised theological notions:

The metaphysical image that a definite epoch forges of the world has the same structure as what the world immediately understands to be appropriate as a form of its political organisation [Das metaphysische Bild, das sich ein bestimmtes Zeitalter von der Welt macht, hat dieselbe Struktur wie das, was ihr als Form ihrer politischen Organisation ohne weiteres einleuchtet]. The determination of such an identity is the sociology of the concept of sovereignty<sup>333</sup>.

This passage omits clarification of the causal sequence, a sequence that Schmitt is otherwise keen to emphasise: does the metaphysical predate or proceed from the “appropriate” political form, or do they establish a reciprocal relation? Despite the omission, the passage retains the connection between structural principles, a metaphysical image, and a political form. Before addressing the formational function of sovereignty that Schmitt outlines through his conceptual “sociology”, I will briefly return to his critique of Romanticism to highlight the presumed danger of occasional(ist) formlessness.

As seen in Löwith's critique of Schmitt, the Romantic subject —replacing the theological centre of metaphysics— turns everything into an occasion for self-fulfilment and Romantic genius<sup>334</sup>. Schmitt assesses this as a symptom of non-political form<sup>335</sup>. This formlessness is derived from the lack of any determinate relation with a cause or causality<sup>336</sup>. Such absence —the vacancy of a structural centre or the incapacity to

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<sup>331</sup> He accepts any of its iterations as long as “Jesus is the Christ” (Leviathan, p. 139).

<sup>332</sup> (cf. *Pol. Romantik*, p. 68). Indeed, many of Schmitt's political writings could be seen as attempts to locate the juridico-political correspondences of his time while defending their theological traces.

<sup>333</sup> (*Pol. Theology*, p. 46); (*Pol. Theologie*, p. 50f)

<sup>334</sup> (cf. *Pol. Romantik*, p. 19)

<sup>335</sup> (cf. *ibid.* p. 35)

<sup>336</sup> (cf. *ibid.* p. 91)

relate to it– presumably stems from the Romantic incapacity to decide, to avoid a simple either/or<sup>337</sup>. Without a decisive posture, a frictionless choice, none of Schmitt's political forms can be established.

The differential caprice of the occasional, which he associates with Romanticism, undermines his emphasis on order (Ordnung). Lacking a notion of normativity and causal normality, no such order can be established. The Romantic defies these notions of normality (das Normale), as they dissolve the occasional levity and the unconstraint (Ungebundenheit) of Romanticism. Although not strictly implying a legal system, Schmitt's early notion of order refers to a causal relation between the formal political structure and its metaphysical counterpart. Regardless of whether Schmitt's account of Romanticism is accurate, he argues that this epoch defies such a causal link.

By reinterpreting Malebranche's occasionalism and vacating it of its divine centre, the Romantic focuses on the occasion itself. These occasions are fleeting and interchangeable, lacking the coherent formal outline that Schmitt considers essential to political structure<sup>338</sup>. For Schmitt, the coherence of these outlines is achieved through the clear demarcation of sovereign form<sup>339</sup>. If this form is imperilled, suspensions are required to re-establish what I will later discuss as homogeneity.

In Schmitt's distinct formalism, the political lacks formal autonomy yet asserts a structural or structuring dominance. This becomes particularly apparent when considering his rejection of indecisive formlessness. For Schmitt, the stakes of juridical-political analyses concern less the opposition between procedural vacancy and material saturation; instead, sovereign form is indispensable for the existence of sovereignty itself.

Schmitt's 1921 *Die Diktatur (Dictatorship)* analyses political authority through the assessment of the legal context of dictatorships. He studies a form of authority that possesses the legal competence to establish, perpetuate, or secure a normative framework through the suspension of individual norms<sup>340</sup>. Schmitt develops this via a division between commissarial (kommissarisch) and sovereign dictatorships<sup>341</sup>. These dictatorial forms are marked by their diverging understandings of emergency law

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<sup>337</sup> (cf. *ibid.* p. 120)

<sup>338</sup> (cf. *ibid.* p. 94)

<sup>339</sup> (cf. *Pol. Theologie*, p. 15)

<sup>340</sup> (cf. *Diktatur*, p. XVII)

<sup>341</sup> (cf. *ibid.* p. 3)

(Notrecht). Such law holds significant weight as it signals the division between an emergency and the established normative constellation (the rule of law), between Notrecht and Rechtsstaat<sup>342</sup>.

In *Political Theology*, Schmitt will insist that the norm is not applicable to the exception. Hence, both norm and exception operate on different bases. A norm requires minimal regularity; unlike the suspending sovereign decision, it cannot be applied to “chaos”<sup>343</sup>. In *Dictatorship*, this regularity or normality is equated with a homogenous medium: “The dictator’s action should create a condition in which the law can be realised [verwirklicht], because every legal norm presupposes a normal condition [normaler Zustand] as a homogeneous medium [homogenes Medium] in which it is valid.”<sup>344</sup>.

Schmitt distinguishes between commissarial and sovereign dictatorship based on their differing uses of dictatorial suspension: the commissarial dictator suspends the constitution or system of norms to “protect” (schützen) it in its intended, initial, or ordinary form<sup>345</sup>. This presumably protective act tends to resort to constitutional law. Sovereign dictatorship, on the other hand, does not suspend the constitution to safeguard its integrity but seeks to create the conditions for a new constitution— “one that is still to come [herbeizuführen]”<sup>346</sup>.

*Dictatorship* recapitulates several examples where a presumed emergency eclipses the customary normative constellation. In Roman Law, such commissarial suspension always included its own termination once the desired ends were achieved<sup>347</sup>. In the context of the French Revolution, Schmitt analyses situations where the loi martiale remained indefinitely declared, terminating the formal division of powers<sup>348</sup>. Where the emergency becomes the rule, Schmitt identifies a decisive political constellation that shapes his infamous notion of sovereignty, later developed in *Political Theology*.

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<sup>342</sup> (cf. *ibid.* p. 179); (cf. *Dictatorship*, p. 157)

<sup>343</sup> (cf. *Pol. Theologie*, p. 19)

<sup>344</sup> (*Dictatorship*, p. 118); (*Diktatur*, p. 133f)

<sup>345</sup> (*ibid.*). “when the body [der Bestand] of the constitution is under threat, it must be safeguarded through a temporary suspension [zeitweilige Suspension] of the constitution.” (*ibid.*); (*ibid.*)

<sup>346</sup> (*ibid.* p. 119); (*ibid.* p. 134). This form of dictatorship epitomises the relationship between the constitutive dimension (Verfasstheit) and the suspension of a pre-existing constitution (Verfassung). The latter is suspended to create the conditions necessary for the formation and establishment of a new constitution. As later noted in *Constitutional Theory*, for Schmitt, the question of the constitution aligns with the existential form (Existenzform) or the manner in which political unity (Einheit) manifests itself in existence (cf. *Verfassungslehre*, p. 88); (cf. *Constitutional Theory*, p. 136).

<sup>347</sup> (cf. *Diktatur*, p. 12)

<sup>348</sup> (cf. *ibid.* p. 179; 170)



Whether through a commissarial or a sovereign dictatorship, Schmitt's normality needs to be created (geschaffen) to establish a meaningful terrain for the functioning of the law. The binding force of ordinary legislation remains effective as long as the situation is considered "normal"<sup>349</sup>. Dictatorial suspension thus concerns a more primary order (Ordnung) that needs to be created or produced (hergestellt). Otherwise, any rule of law (Rechtsordnung) loses its meaning or purpose (Sinn). This primary order pertains to the formal outlines of a "normal" political constellation. In Section III, I will attend to the existential purview of this outline. For now, it suffices to note that Schmitt decisively opposes the presumed peril of formlessness.

This said, Schmitt identifies a merit in the abnormal; as detailed in *Dictatorship*, it is not the normal that characterises the most prolific grounds for political (re-)formation. In the realm of the emergency, every law metamorphoses into a dictate (Diktat)<sup>350</sup>. Hence, the sovereign's capacity to 'order' in times of crisis relies on the rule of the decision. Schmitt ardently defends the legal legitimacy of these decisions, regarding them as a constitutive component of a functioning juridical apparatus: "The question of who decides on it (that is, on the case that is not regulated by law) becomes the question of sovereignty [wird die Frage nach der Souveränität]." <sup>351</sup>. One year after *Dictatorship*, by the time of 1922's *Politische Theologie*, the sovereign features of the dictator had become the structural outlines of sovereignty. No longer predominantly writing about the emergency, Schmitt now turns to the exception.

In *Political Theology*, Schmitt analyses the conceptual shifts deriving from the "most developed" (höchstentwickelte) and "formally superior" (höchstformierte) notions of "occidental rationalism", as embodied by the Catholic Church and the Jus publicum Europaeum<sup>352</sup>. Chapter IV will briefly return to the formal specificity of the latter. For now, let me proceed by emphasising how Schmitt's conceptual "sociology" of sovereignty assesses sovereign power through the capacity to suspend, and thus to

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<sup>349</sup> (cf. *ibid.* p. 190); (cf. *Dictatorship*, p. 168)

<sup>350</sup> (cf. *Glossarium*, p. 18)

<sup>351</sup> (*Dictatorship*, p. 168f [slightly modified]); (*Diktatur*, p. 191)

<sup>352</sup> He discusses these peculiarities in a comment on Blumenberg's *Die Legitimität der Neuzeit* found in 1970's *Politische Theologie II* (cf. Schmitt 2017a, p. 86), which will be cited as *Pol. Theologie II*. In *Römischer Katholizismus und Politische Form (Roman Catholicism and Political Form)*, Schmitt designates the Catholic Church as a *complexio oppositorum*, emphasising the capacity to maintain various oppositions without dissolving the system (cf. Schmitt 2019, p. 11). Schmitt marks a formal resemblance between Roman Law and the Church and argues that these oppositions can coexist because a will to decide formally unifies them, should such a decision be necessary (cf. *ibid.* p. 49; 14).

(re-) form normative rule<sup>353</sup>. This allows me to further signal how Schmitt opposes presumably non-political formlessness with sovereign form.

Schmitt's incipits are compelling. At the outset of *Political Theology*, the exception is proposed as the defining, yet elusive characteristic of sovereignty. The decision upon the exception is quintessential: no norm can encompass an exception, nor is it capable of justifying (begründen) such an exception. While the exception constitutes a segment of the juridical structure, it also epitomises its exteriority<sup>354</sup>. Only through an authoritative interpretation (auctoritatis interpositio) can a normative system formally designate who is to act under exceptional circumstances<sup>355</sup>. In such situations, the norm itself, i.e., its material component, cannot encompass or justify the decision, as the decision lies outside the norm's purview<sup>356</sup>.

Schmitt delineates the simple (einfaches) either/or of a decision. He attributes to Bodin the significant feat of incorporating decisionism into the understanding of sovereignty<sup>357</sup>. This sovereign decision hinges on an either/or: it unilaterally declares whether an exception is present. It is present or it is not. For Schmitt, it is solely the decision that provides the coordinates which enable the assessment of exceptionality.

In other words, either a political community finds itself in a situation where a rejuvenation of the political is necessary, or it does not. It is either confronted with the need to become political or it is not. No dialectical sublation (Aufhebung) is to be expected. No division of subject matter (Materien), no constraint, or disjunction (Halbierung) is permissible<sup>358</sup>. The decision consolidates what it perceives as dysfunctional. Through such a decisive declaration, (renewed) functioning of the normative apparatus is to be assured. For Schmitt, this normative renewal might

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<sup>353</sup> (Pol. Theologie, p. 50f). Schmitt notes that this notional development is not concerned with abstract conceptual debates but is instead linked to the question of concrete application (konkrete Anwendung) (cf. *ibid.* p. 13).

<sup>354</sup> (cf. *ibid.* p. 13f); (cf. *ibid.* p. 5ff). Schmitt largely relies on the conceptual division between an inside and an outside.

<sup>355</sup> "It is rooted in the character of the normative and is derived from the necessity of judging a concrete fact concretely even though what is given as a standard [Maßstab] for the judgment is only a legal principle in its general universality [generelle Allgemeinheit]. Thus, a transformation takes place every time. That the legal idea cannot translate [umsetzen] itself independently is evident from the fact that it says nothing about who should apply it. In every transformation [Umformung] there is present an auctoritatis interpositio" (Pol. Theology, p. 31); (Pol. Theologie, p. 37).

<sup>356</sup> Meier interprets Schmitt's aversion to the norm as a reflection of his emphasis on responsibility (cf. Meier 2011, p. 22). "For the political theologian, who is aware of the eschatological importance of the battle for or against enmity [...] the defence of the political becomes the moral duty." (*ibid.* p. 25). I interpret this aversion as resulting from Schmitt's formal-existential insistence on political decisiveness.

<sup>357</sup> (cf. Pol. Theologie, p. 15); (cf. Pol. Theology, p. 8)

<sup>358</sup> (cf. Verfassungslehre, p. 378); (cf. Constitutional Theory, p. 378)

necessitate the annihilation of norms. In spite of such annihilation, he emphasises that the exceptional decision remains in the realm of the juridical.

As chaos eludes normative application, the decision aims to order, structure, or (re-) form the terrain for an old, or perhaps new, system of norms— one that includes the political dimension of the sovereign decision<sup>359</sup>. The existing juridical system cannot possibly anticipate every kind of exceptional or extreme occurrence. If it seeks to ensure its continued existence, Schmitt calls for decisional authority that operates unconstrained (unbegrenzt):

What characterises an exception is principally unlimited authority, which means the suspension of the entire existing order. In such a situation it is clear that the state remains, whereas law recedes. Because the exception is different from anarchy and chaos, order in the juristic sense still prevails even if it is not of the ordinary kind [es besteht im juristischen Sinne immer noch eine Ordnung, wenn auch keine Rechtsordnung]. The existence of the state is undoubted proof of its superiority over the validity of the legal norm. The decision frees itself from all normative ties and becomes in the true sense absolute<sup>360</sup>.

To suspend the totality of the prevailing order does not equate to negating order in its entirety. Under these circumstances (at least according to Schmitt's view), the state perseveres, yet the law (Recht) recedes. While order (Ordnung) is sustained, it does so in the absence of the rule of law (Rechtsordnung). He never perceives these constitutive moments as 'anarchic' or 'chaotic'; rather, they present a political opportunity to rejuvenate the existential structure of a political community<sup>361</sup>. In the absence of the rule of law, order still prevails; however, this order requires reassembly.

Apart from clarifying the role of Schmitt's sovereign, who operates somewhere between the commissarial and the sovereign dictator, this passage elucidates the formal function of the suspension. Schmitt's suspension simultaneously deformalises and re-formalises the existing political structure<sup>362</sup>. Schmitt can thus far be perceived

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<sup>359</sup> Schmitt is convinced that, in the state of exception, no *auctoritas* or *pouvoir* can be divided. Established divisions of power are suspended. Sovereignty, by declaring the exception, retrospectively defines normality. Thus, it may be inferred that it is only through the containment of 'disorder' —through the lens of sovereignty— that one can grasp political 'normality'. Schmitt's juridical form gains traction only if sovereign agency ensures it. For Schmitt, no norm, whether procedural or material, can obviate the need for a sovereign agent. The *poiesis* of the political requires a sovereign decision, a decision that remains beyond the reach of regulatory control.

<sup>360</sup> (Pol. Theology, p. 12); (Pol. Theologie, p. 18)

<sup>361</sup> (cf. Pol. Theologie, p. 18); (cf. Pol. Theology, p. 12).

<sup>362</sup> The exception —whether perceived as exceptional or not— serves as the occasion for the sovereign decision, thus aligning with Löwith's notion of occasional(ist) decisionism (cf. Löwith 2022b, p. 40).

as a political formalist. Unlike traditional formalism, Schmitt does not advocate for the formal autonomy of the political but suggests its structural and structuring dominance. This becomes evident through his allusion to suspension.

Schmitt's *suspension*, i.e., the sovereign decision on the exception, *deformalises* when the current rule of law fails to sustain the existing political form or precipitate the prospective ("still to come") one<sup>363</sup>. Through this suspension, Schmitt insists that order is sustained. The suspension thus retains the formal remnants of order<sup>364</sup>. A *suspension* is *not a dissolution*; it preserves the elements it contains through reassembly. The sovereign capacity to suspend facilitates the conservative continuity of authority via the reformatory capacity of the suspension. Schmitt contrasts formlessness, identified with "anarchy", "chaos", or Romanticism, with sovereign form<sup>365</sup>.

Inherited from Hobbes, who opposes the "anarchical" chaos of the feudal right to resistance (*Widerstandsrecht*) with the structuring authority of the Leviathan, Schmitt's formal monopoly of the decision draws from another of Hobbes's famous directives: "*Autoritas non Veritas facit Legem*"<sup>366</sup>. Authority implies, as Schmitt is keen to demonstrate, "that to produce law it need not be based on law [um Recht zu schaffen, braucht sie nicht Recht zu haben]."<sup>367</sup>.

Formal sovereign authority lies beyond the constraints of the common legal form: "The legal form is governed [beherrscht] by the legal idea and by the necessity of applying a legal thought to a factual situation [konkreter Tatbestand]"<sup>368</sup>. Should the "factual situation" require it, Schmitt's exceptional legal form is governed by, and governs through, the suspending force of the sovereign decision<sup>369</sup>. Schmitt does not engage in an intricate ontological analysis of differing political forms; instead, he seeks for the modus of enmity to be modalised according to one particular structure.

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However, this interpretation vacates Schmitt's metaphysical centre, which is fashioned after the unconstrained reach of the divine, i.e., absolute omnipotence (cf. *Pol. Theologie*, p. 44f). This does not fully align with Meier's assessment either. Schmitt may or may not consider his faith as an absolute responsibility to decide. I borrow the dictum of (de-)formalisation from Karin de Boer (cf. Boer 2005, p. 36).

<sup>363</sup> "Herbeizuführen" (*Diktatur*, p. 134); (*Dictatorship*, p. 119).

<sup>364</sup> Consequently, Schmitt's formalism is neither anti-historical nor anti-material. Instead, the suspension enables him to maintain these traces.

<sup>365</sup> (cf. *Pol. Theology*, p. 12)

<sup>366</sup> (cf. *Leviathan*, p. 72; 113); (*Hobbes 1668*, p. 133)

<sup>367</sup> (*Pol. Theology*, p. 13); (cf. *Pol. Theologie*, p. 19 [slightly modified]); (cf. *Leviathan*, p. 82)

<sup>368</sup> (*ibid.* p. 28); (*ibid.* p. 35)

<sup>369</sup> (*ibid.*)

### III. Existential Outlines

After addressing Schmitt's sovereign formalism, it is time to situate this emphasis in the larger context of Schmitt's existential commitment. To do so, I recapitulate key passages from 1928's *Verfassungslehre* (*Constitutional Theory*) to address Schmitt's notion of political existence and assess how his formalism engages with the phenomenon of political existence. I then situate this within 1932's *Der Begriff des Politischen* (*The Concept of the Political*).

Declared as a programmatic analysis of constitutional law, *Verfassungslehre* concisely expresses Schmitt's notion of political existence, as perceived through a decisive and formational will. The state's existence (*Wesen*) lies in the decision<sup>370</sup>. The state not only decides but also emerges from a decision, characterised as a mobilised will (*Willen*). The decision thus heralds political inception. As suggested in the preface of this work, the principles of the bourgeois rule of law (*bürgerlicher Rechtsstaat*) tend to be equated with constitutional integrity. This results in the application of apocryphal sovereign acts –the tacitly accepted implementation of sovereign acts by non-sovereign actors of the state– which leads to insufficient interpretations of the relation between the constitution and sovereignty<sup>371</sup>. In this context, Schmitt analyses the relation between constitutional form and the sovereign decision.

When the conceptual purview of the constitution is limited to the state, as Schmitt argues it should be, it expresses the complete condition (*Gesamtzustand*) of political unity (*Einheit*) and order<sup>372</sup>. Whether existing concretely or ideally, the constitution represents a real or reflective whole (*Ganzes*). Schmitt outlines three primary meanings of the constitution, all of which contribute to his own notion. First, the constitution as the concrete unity of state and social order, in which case the state ceases to exist once this unity –this *politeia*, this order– dissolves. Second, the constitution as a determinate type of social rule, where the constitution becomes the equivalent of state form. Here, the constitution as the form of forms (*Form der Formen*), or *forma formarum*, changes when the state's status is altered by a transformative

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<sup>370</sup> (cf. *Verfassungslehre*, p. 134); (cf. *Constitutional Theory*, p. 176)

<sup>371</sup> (cf. *ibid.* p. XIV); (cf. *ibid.* p. 55)

<sup>372</sup> No norm can be applied to a state of chaos; therefore, order must be assured, for the rule of law (*Rechtsordnung*) to function. *Constitutional Theory* underscores that the precise moment and extent to which a rupture (*Durchbrechung*), or even disposal (*Beseitigung*), of existing law is warranted cannot be prescribed solely by norms. Instead, this decision is contingent upon sovereign authority (cf. *Verfassungslehre*, p. 49); (cf. *Constitutional Theory*, p. 101).

event that does not culminate in a reform, i.e., a revolution<sup>373</sup>. Third, the constitution as the principle of dynamic emergence (dynamisches Werden), which is a successively rejuvenated entity based on effective power (Kraft) and energy (Energie)<sup>374</sup>.

If the constitution, in contrast to these types, were to imply solely a system of norms where the constitutional text is the superior norm (Norm der Normen), then the state does not define the constitution; rather, the constitution defines the state. In this positivist scenario, every norm must be reducible to the constitution itself<sup>375</sup>. A norm, according to Schmitt, is either legitimate because it is “right” (richtig) –as seen in natural law– or because it is legally posited. To transcend these binaries, Schmitt seeks a distinct realm from which he can derive legitimacy<sup>376</sup>. That validity comes by way of an existential will. The constitution does not function on the basis of its structural comprehensiveness or on the legality of its individual norms. Instead, Schmitt advocates a notion of constitutive validity that does not merely mark a return to natural law<sup>377</sup>. To achieve this, he advances towards a constitutional understanding that unifies through consolidating the concrete type (Art) and form of political and social existence<sup>378</sup>.

Not to be equated with his initial typology, Schmitt now speaks of will (Wille) to describe a foundational force (or rather, violence) that wills legal and existential validity: “In contrast to mere norms, the word ‘will’ denotes an actually existing power as the origin of a command [seinsmäßige Größe als den Ursprung eines Sollens]. The will is existentially present [vorhanden]; its power or authority lies in its Being [Sein].”<sup>379</sup>.

Schmitt’s *Constitutional Theory* thus assesses the different historical and contemporary modes in which political being(s) form and transform a foundational will. Contrary to, or in addition to, his declared intention, which is presumably closer to an archaeology or legal sociology of constitutional notions, he proposes a framework where the existents of political being is to be interpreted through the articulation of a

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<sup>373</sup> (cf. *ibid.* p. 3ff); (cf. *ibid.* p. 59f)

<sup>374</sup> (cf. *ibid.* p. 5f); (cf. *ibid.* p. 60)

<sup>375</sup> Kelsen’s norms –Kelsen being a placeholder for Schmitt, representing all legal positivists– derive their validity solely from being posited. They are established, and therefore, must be followed (*ibid.* p. 9); (*ibid.* p. 64). Schmitt’s rejection of norms, however, does not imply a repudiation of normativity. Once norms are established, they must be normatively grounded. Yet, even when a norm is sufficiently normatively saturated (and one can discern which naturalist substratum Schmitt prefers), it still cannot fully contain the breadth of the decision.

<sup>376</sup> These represent the first echoes of political transcendence within existence, which I will further specify below.

<sup>377</sup> (cf. *ibid.* p. 9f)

<sup>378</sup> (cf. *Verfassungslehre*, p. 3f); (cf. *Constitutional Theory*, p. 59)

<sup>379</sup> (*Constitutional Theory*, p. 64 [slightly modified]); (*Verfassungslehre*, p. 9)

distinct political will. Unity (Einheit) and order lie in the political existence of the state and not in individual laws, rules, or normative systems<sup>380</sup>. Existence constitutes or forms the state's constitution, which I would describe as *Verfasstheit* des Staates rather than *Verfassung* des Staates. It is through this *forma formarum* that the respective political structure is to be studied.

Schmitt combines his insistence on sovereign political form with an emphasis on concrete existentia. A constitutional act, realised through foundational violence, constitutes both the form and type (Form und Art) of political unity<sup>381</sup>. The constitution, unlike the sovereign decision, is not absolute, as it does not result from itself. This implies that the constitutive act is preceded by a formational will. Such a will needs to be decisive if it is to culminate in a constitutional outline:

Because every Being [Sein] is a concrete and determined existence [bestimmt geartetes Sein], some kind of constitution is part of every concrete political existence [Existenz]. But not every entity that exists politically decides in a conscious action the form of this political existence and reaches, through its own conscious determination, the decision regarding its concrete type [...]<sup>382</sup>.

In the light of this passage, it is not far-fetched to assess Schmitt's "conscious determination" through Heidegger's notion of resolve or resoluteness (Entschlossenheit). Schmitt contends that (political) Being must be scrutinised through what he terms "concrete and determined existence"<sup>383</sup>. While this acknowledgement does not fully align with Heidegger, it invites comparison. Beyond their shared analytical vantage point, their focus diverges: Heidegger seeks to fundamentally assess the decisional structure that embeds temporality within existence. Only a resolute choice acknowledges finitude, thereby projecting life in the face of death<sup>384</sup>. Heidegger studies individual existence in its presumably most primary ontological context. The notion of *Walten* allows him to analyse the peculiar dynamic through which Being (violently) prevails through beings, without ever presenting itself as such. Any resolute decision must account for the prevalence of existence; otherwise, it remains indecisive.

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<sup>380</sup> (cf. *Verfassungslehre*, p. 10). "The concrete existence of the politically unified people is prior to every norm." (*Constitutional Theory*, p. 166).

<sup>381</sup> (cf. *ibid.* p. 21)

<sup>382</sup> (*Constitutional Theory*, p. 77 [slightly modified]); (*Verfassungslehre*, p. 23)

<sup>383</sup> (*ibid.*)

<sup>384</sup> (cf. *Sein/Zeit* §62)

Schmitt, within the study of constitutional forms (which I suggest understanding as forms of political Verfasstheit), analyses what he perceives as the most primary forms and types (Arten) of political being. Although he does not provide an existential analytic of these forms, his notion of the political only comes to fruition when an existential decision is involved. All formations that are beyond such a decisional threshold are not necessarily non-political, but they fail to form themselves in a decisive fashion; they insufficiently mobilise a decisional will that grants a definite outline, a politically constituted form. To a limited extent, Schmitt supplements Heidegger's decision. In his assessment, he acknowledges a broader existential sway to which political beings must respond. This "conscious determination" involves a decision on "the form of this political existence"<sup>385</sup>. The significance of this decision becomes most apparent in moments of suspension.

The purview of this decision or this will cannot be anticipated; it solely describes the limited extent to which Schmitt allows human agency to develop political traction. This traction is predominantly conflictual, polemical: "Every genuine conflict [echter Konflikt] reveals the simple either/or of the mutually exclusive [sich ausschließende] principles of political form."<sup>386</sup>. In this sense, Schmitt confines consciously determined political forms to the evaluation of "mutually exclusive" forms of existence.

Different forms of existential political units (Existenzformen politischer Einheit) are caught in Clausewitz's apothegm: war is merely the continuation of politics by other means<sup>387</sup>. Similar to Hobbes, Schmitt exhibits a marked preference for this kind of negative anthropology<sup>388</sup>. Schmitt's meaning (Sinn) of war lies in the preservation of one's own political form<sup>389</sup>. The enemy is something existentially (seinsmäßig) other. As the other, the enemy is the most drastic intensification (äußerste Steigerung) of being-other (Anders-Sein), other being(s).

*The Concept of the Political* presents these tendencies more drastically: when the political, as a formational capacity to structure community, is lost, survival is at

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<sup>385</sup> (Constitutional Theory, p. 77)

<sup>386</sup> (ibid. p. 105 [slightly modified]); (ibid. p. 54)

<sup>387</sup> (cf. Verfassungslehre, p. 88); (cf. Clausewitz 2007, p. 8)

<sup>388</sup> Later, in *Theory of the Partisan*, Schmitt intensifies Clausewitz's apothegm by asserting that war's meaning (Sinn) lies in enmity: "A declaration of war is always a declaration of enmity" (Schmitt 2004, p. 60).

<sup>389</sup> Meier interprets Schmitt's distinction as the pivotal moment in political theology (cf. Meier 2011, p. 27). "[Schmitt] sees the most profound basis of political thought in the dependence of everything on whether one takes up the fight for the sake of the good and withstands it as a divine trial." (ibid. p. 40). Conversely, Löwith, mobilises Schmitt's concept of enmity to confirm what he perceives as the decision for decisiveness, further substantiating the occasionalist dimension (cf. Löwith 2022b, p. 40; 44). As long as enmity persists, the identity of the enemy remains irrelevant.



stake. If a people lose the power (Kraft) or the will to sustain itself in the realm of the political, it is not the political that perishes but rather the weak people (schwaches Volk)<sup>390</sup>. In other words, the ontological continuity of the political as a conflictual modus is not eclipsed by ontic negligence. However, as I emphasise further in Section IV, in times of conflict, otherness threatens to eclipse self-identity, sameness, and homogeneity<sup>391</sup>.

Despite maintaining critical distance, Schmitt claimed to have formulated Existentialism's sole "concrete" concept: the friend-enemy distinction<sup>392</sup>. This enigmatic distinction is found in *The Concept of the Political*, where Schmitt underscores the prevalence of political enmity as a central criterion for defining the political sphere. Identifying such "purely political" criteria should not create a new specialised domain (Sachgebiet); instead, it should develop an antinomy that cannot be reduced to unrelated dichotomies, like good and evil in ethics<sup>393</sup>. A genuinely political distinction only gains traction when it remains irreducible to the distinctions of other domains of thought. The relations between friend and enemy meet this criterion: the enemy need not be morally evil or an economic competitor to qualify as an enemy. An enemy is simply "other" from the association's formal viewpoint<sup>394</sup>.

Neither the friend nor the enemy are to be understood metaphorically. Schmitt does not perceive his political distinction as a symbolic juxtaposition that is diluted or compromised (vermischt und abgeschwächt) by economic, moral, or other considerations. The political, therefore, does not establish a new topos but becomes an interpretative schema, derived solely from the intensity of an association or a dissociation<sup>395</sup>. Following Schmitt, this becomes increasingly pronounced once one acknowledges the polemical character of the political distinction<sup>396</sup>. Such polemics are tied to a concrete situation in which the ultimate result must be war or revolution<sup>397</sup>.

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<sup>390</sup> (cf. Begriff d. Politischen, p. 50); (cf. Concept o. t. Political, p. 53)

<sup>391</sup> (cf. Verfassungslehre, p. 377); (cf. Constitutional Theory, p. 394)

<sup>392</sup> Schmitt directs his criticism towards French Existentialism, while remaining largely silent on Existenz-Philosophie: "[...] ich habe trotz des langjährigen Geredes von Existenz und Existentialismus noch niemals eine andere existentielle Kategorie wahrnehmen können als die Unterscheidung von Freund und Feind." (cf. Glossarium, p. 65; 120; 151; 155). "I could, despite many years of chatter about existence and Existentialism, perceive but one existential category: the distinction between friend and enemy." [my translation].

<sup>393</sup> (Begriff d. Politischen, p. 25)

<sup>394</sup> (cf. Begriff d. Politischen, p. 25); (cf. Concept o. t. Political, p. 25f)

<sup>395</sup> (cf. ibid. p. 36); (cf. ibid. p. 38)

<sup>396</sup> (ibid. p. 27ff); (ibid. p. 27ff)

<sup>397</sup> (ibid. p. 29)

When Schmitt proposes the friend/enemy distinction as an existential category of the political, he hypostatizes enmity, treating it as a dissociative force that perpetually re-establishes itself<sup>398</sup>. Inseparable from Schmitt's negative anthropology, the distinction turns into the ontological precursor of political formation. As existence inevitably prevails polemically, hostility remains a constant threat. Schmitt does not envision a means to ontologically confront such hostility; instead, he provides the terminology to assess its different ontic forms. In the context of Heidegger's division between *modus* and *modality*, anthropological hostility remains Schmitt's central ontological concern. This hostility, or enmity, becomes the formative moment –and the poetic catalyst– of political beings, asserting itself as the archetypical political *modus*. In the face of such enmity, the political unit has to modalise or project itself<sup>399</sup>.

If one acknowledges Schmitt's earlier insistence, as noted in *Politische Theologie*, that all relevant conceptions of modern state theory are secularised theological notions and extends this claim to both *Constitutional Theory* and *The Concept of the Political*, then the relationship between Schmitt's *modus* and his *modality* becomes clearer. Enmity inevitably perpetuates itself; it is an ontological predicament, an essential fact<sup>400</sup>. Unlike Heidegger, Schmitt is thus, at least here, not concerned with the modalisation of individual *Dasein*. However, he suggests a formational will as a constitutive requisite for political form. This will, whether in the form of a formational force or a sovereign decision, must respond to Schmitt's political-ontological *modus*: enmity.

Heidegger would denounce such a notion of conflictual Being as anthropological and voluntarist. In the existential analytic of *Sein und Zeit*, Being is not to be apprehended other than through its existential expression, through *Dasein*. My

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<sup>398</sup> "Feindschaft entsteht von selbst ununterbrochen." (Glossarium, p. 204). "Enmity arises unceasingly by itself [my translation]". Schmitt thereby misses the unstable distinction between friend and enemy, according to Derrida. A friend can turn into an enemy and vice versa (cf. Derrida 2020b).

<sup>399</sup> 1963's *Theory of the Partisan* serves as a late supplement to *The Concept of the Political*, providing several concrete examples that illustrate the political relevance of the friend/enemy distinction. Classical theories of war establish a framework in which the enemy is 'just', contained (gehegt) against violent 'excess'. In this context, the enemy is conceived as possessing rights and obligations, rendering enmity a conventional object of juridical analysis. Schmitt, however, is intrigued by the peculiar status of the partisan. Positioned beyond any such containment, the partisan refuses inclusion in *jus in bello*. By rejecting conventional enmity, the partisan embodies genuine, veritable (wirkliche) hostility: terror is escalated towards annihilation (cf. Schmitt 2017b, p. 17). Thus, in times of depoliticisation, Schmitt's partisan represents a stubborn final line of defence against the encroaching loss of the political (cf. Begriff d. Politischen, p. 31).

<sup>400</sup> Which Schmitt might or might not derive from *Genesis III, 15* (cf. Meier 2013, p. 36).

previous chapter stressed the insufficiency of such a dismissal; Heidegger's use of *Walten* at times undermines the presumed non-presence of Being.

Should the problem of voluntarism be considered justified, Schmitt's modus of enmity, like Being, can still be assessed as something that cannot be directly apprehended<sup>401</sup>. A decision is required— a decision to assume this enmity as one's own<sup>402</sup>. In the absence of decisiveness, Schmitt appeals to the sovereign decision on the exception. This suspension operates as a catalyst for political modalisation, potentially sharpening the division between enemies and friends<sup>403</sup>. This is how his formalism is framed through an existential dimension<sup>404</sup>.

Enmity can be ignored or forgotten, but this does not lessen its reach: Schmitt perceives liberalism as a major threat because it presumes to replace enmity with deliberation<sup>405</sup>. This refusal to confront enmity could lead political units to forget the principal ontological modus that propels political modalisation. It would leave them disarmed in the face of attack and therefore vulnerable to domination and extermination. Schmitt's existential formalism does not move beyond this insistence. He merely allows for an either/or. Rejecting the division between enemy and friend ultimately equates to inexistence. Yet this predicament —whether resulting from depoliticisation or passivity in the face of an impending adversary— precludes Schmitt's political beings from resisting hostility. Political beings can only acknowledge enmity and respond accordingly, by forming decisive political units.

This formalist insistence, despite its obvious limitations, is not ahistorical. It does not prescribe —as Schmitt notes in his rejection of legal formalism found in 1932's *Legality and Legitimacy*— a presuppositionless (*voraussetzungsloser*) formalism or

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<sup>401</sup> Here, Schmitt's comment on representation is instructive: "Representation is not a normative event, a process, and a procedure. It is, rather, something existential. To represent means to make an invisible Being visible and present through a publicly present one [*unsichtbares Sein durch ein öffentlich anwesendes Sein sichtbar machen*]." (Constitutional Theory, p. 243 [slightly modified]); (Verfassungslehre, p. 209).

<sup>402</sup> In the case of Schmitt, this ipse refers to a homogenous people or state.

<sup>403</sup> Another similarity lies in the structural relation between finitude and the decision. As Derrida notes: "The people must thus expose itself to death in the political, that is to say, for Schmitt, in the State, which never determines itself without an enemy." (Derrida 1993, p. 199). Derrida will proceed to mark the differences between their approaches; for Derrida, Schmitt anthropologises the Heraclitean *polemos*, interpreting it as literal war. In contrast, Heidegger urges one to perceive this prevailing conflict not anthropologically but ontologically (cf. *ibid.* p. 204). To me, this discrepancy appears minimal when evaluating their existential modalities (cf. Introduction, p. 64f); (cf. Einführung, p. 47).

<sup>404</sup> In Chapter IV, I will strengthen this comparison by drawing together my notions of ontological sovereignty and the ontology of suspension.

<sup>405</sup> For Schmitt, depoliticisation is not a minor threat; it signifies a misperception of existence and, consequently, an inadequate recognition of finitude and political vulnerability (cf. *Pol. Theologie*, p. 50f).

functionalism<sup>406</sup>. Schmitt suggests an ontological presupposition that prompts an ontic decision. A political unit must acknowledge the polemical dimension that shapes existence; otherwise, any formalism attempting to structure normative existence remains vacant<sup>407</sup>.

Formalist perspectives traditionally imply a focus solely on the formational autonomy of a structure. In this context, Schmitt extends formal autonomy by introducing a notion of existence that, whether insufficient or not, always informs the political structure. Enmity is the formal, material, structural, or theological sediment with which legal, political, or philosophical thought must contend. Unlike the norm, which eventually loses its purview, the formational or modalising capacity of the decision inevitably remains pertinent<sup>408</sup>. No political structure is autonomous, as it derives its political dimension from its conflictual heteronomy with other forms. This also explains Schmitt's aversion to liberalism, which he perceives as the great unifier that forgets or occludes the traces of different homogenising forces or wills, thereby operating as a means of depoliticisation. Only the decision moves beyond the remit of obliviousness, removing all legal constraints and feuds<sup>409</sup>.

“Quis judicabit?” Who decides<sup>410</sup>? In raising this question, one might need to separate two structural layers of ontological and ontic analyses. The decision of individual Dasein, as in Heidegger's case, does not align seamlessly with the sovereign decision on the exception, the suspension. This non-correspondence does not imply that Schmitt fails to acknowledge the need to assume the sovereign's decisions as one's own –he emphasises that a formational will must structure political existence– but the analytical scope remains misaligned<sup>411</sup>. Still, like Heidegger, Schmitt favours the particularly decisive individual. In Heidegger's *Introduction to Metaphysics*, it is on these creative individuals to oppose and modulate “the overwhelming sway” of physis<sup>412</sup>. Schmitt leaves this formational opposition to the sovereign and cares little about the exact extent to which the ontological dimension of enmity shapes individual ontic existence, as long as it remains hostile and, thus, political<sup>413</sup>.

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<sup>406</sup> (cf. *Legalität/Legitimität*, p. 11)

<sup>407</sup> (cf. *ibid.* p. 22f)

<sup>408</sup> (cf. *ibid.* p. 66)

<sup>409</sup> This would be “idle talk” in Heidegger's terms (cf. *Sein/Zeit*, §35).

<sup>410</sup> (*Leviathan*, p. 166)

<sup>411</sup> (cf. *Verfassungslehre*, p. 9)

<sup>412</sup> (*Introduction*, p. 65); (*Einführung*, p. 47)

<sup>413</sup> (cf. *Legalität/Legitimität*, p. 35). In *The Concept of the Political*, Schmitt briefly stresses that the political enemy cannot simply be a private adversary (cf. *Begriff. d. Politischen*, p. 27). Derrida discusses the instability of this distinction in *The Politics of Friendship* (cf. Derrida 2020b).

Like Heidegger, Schmitt understands ontological sovereignty; however, unlike Heidegger, he refrains from theorising it. Lacking the nuance of Heidegger's *Walten*, Schmitt identifies existential enmity as the prevalent modus. For Heidegger, *Walten* is sometimes coterminous with the existential modus of Being as *physis*. At times, it expresses the extent to which this modus becomes ontically modalisable. Nevertheless, Heidegger remains cautious, only reading the latter through the former. Schmitt, however, is less concerned about the threat of hypostatizing his central modus of existence<sup>414</sup>. Enmity prevails, as a divine imperative, an existential essence, or – closer to my interpretation– as an existential emphasis on the continuity of political form.

#### IV. Existential Formalism and the Homogeneous

The major phenomenon of the political can only be comprehended through a material reference to the distinction between enemy and friend. Schmitt does not theorise these ontic references using the existential dictum of modus and modality. Nevertheless, as proposed above, these terms illustrate the specificity of Schmitt's "concrete recourse" (*reale Bezugnahme*)<sup>415</sup>. Schmitt's political kosmos is inherently hostile. This hostility cannot be altered and inevitably conditions existence. However, this conditioning does not automatically lead to the formation of a political boundary that defines a community.

In his early writings on Romanticism –later understood in terms of anarchy, chaos, and liberal depoliticisation– Schmitt acknowledges that the modus of enmity does not seamlessly lead to modalised political outlines<sup>416</sup>. As detailed in Section II, formlessness remains a threat, equating to political irrelevance and, eventually, extinction<sup>417</sup>. Conceptually, the archaism of this conclusion disguises a simple assessment: to sustain a concrete political outline, force is required. If this force proves insufficient, the outline disintegrates.

For Schmitt, formational force is synonymous with sovereignty. It grounds an ontic context in an immovable, ontological predicament. Formless political entities are

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<sup>414</sup> Schmitt supplements the notion of decision with that of suspension, where the sovereign decision sets the parameters for decisive modalisation. In the absence of a will (*Wille*), juridical rigour dissipates, and normative considerations lose their weight (cf. *Verfassungslehre*, 35). Schmitt's decision –whether existential or juridical– is inherently political, as it acknowledges the sharp either/or distinction that divides friend from enemy (cf. *Leviathan*, p. 167).

<sup>415</sup> (cf. *Begriff d. Politischen*, p. 34)

<sup>416</sup> (cf. *Pol. Romantik*, p. 35); (cf. *Pol. Theologie*, p. 18); (cf. *Legalität/Legitimität*, p. 35)

<sup>417</sup> (cf. *Begriff d. Politischen*, p. 50)

irrelevant because they fail to acknowledge the necessity of a sovereign decision— a decision that founds and re-orders by contingently dissolving established foundations. Schmitt favours an authoritarian constellation, as this removes legal impediments that would otherwise weaken the efficacy of sovereign form<sup>418</sup>.

I proposed the framework of existential formalism to assess Schmitt's status as an existential thinker. Schmitt appears to suggest that existence is inherently political. His notion of the political recognises a violent play of forces that necessitates a decisive structure. For him, no historical epoch exists without its corresponding political form— a structural connection he sometimes considers metaphysical<sup>419</sup>. If this assumption is provisionally accepted, the stakes of perceiving Schmitt as an existential thinker become more significant, raising the question: what is the political form of the contemporary epoch?

Schmitt's suspension, as noted in Section III, implies no ontological *tabula rasa*; the *modus* of enmity remains autonomous and immovable, serving as a polemical centre beyond reach. Among its various functions, the suspension operates as a catalyst for political formation when other historical caesuras fail to generate a concrete political outline. At the disposal of the sovereign, the suspension acts as an interruption that allows different political modalities to be decisively addressed. Force —which for Schmitt inevitably needs to be sovereign— must be maintained as long as the suspension is required. This dynamic enables Schmitt to theorise significant shifts in political outlines without necessitating more thorough processes of transformation. Before turning to what I term Bataille's *state of exaltation*, I will address Schmitt's focus on (suspensional) homogeneity.

For Heidegger, ontological transformation is conceivable, one that moves beyond *Seinsvergessenheit*. For Schmitt, however, the ontological is immovable but spurs ontic formation<sup>420</sup>. Thus, it could be contended that Schmitt's focus is not

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<sup>418</sup> Whether Schmitt's theory suggests a commissarial or a sovereign dictator —or whether it could also be extended to other, perhaps non-sovereign, formations— is a debate I largely set aside. Chantal Mouffe, for instance, accepts Schmitt's analysis of political antagonism but rejects his emphasis on homogeneity. In her view, the division between 'us' and 'them' does not necessarily dictate how the 'us' is structured, thereby allowing for pluralist multiplicity. For Mouffe, this becomes a matter of political hegemony (cf. Mouffe 2009, p. 102).

<sup>419</sup> (cf. *Pol. Romantik*, p. 16); (cf. *Pol. Theologie*, p. 50f)

<sup>420</sup> Heidegger's *modus*, understood as Being or *physis*, inherently prompts modalisation. His notion of *Walten*, functioning as an ontologically sovereign force, asserts itself through Being. *Physis*, by extension of being's decisional capacity —a decision that temporalises existence— projects and shapes the horizon of being. Though Heidegger's ontological analysis cannot be entirely aligned with Schmitt's thought, both thinkers converge in their suggestion that certain existential projections are more

sovereignty per se. Rather than engaging in a conceptual assessment, Schmitt studies sovereign –and, by extension, political– being. In this sense, Schmitt is not the scholar of sovereignty, but of ‘the’ sovereign. His sovereign is always particular, marked by existential nuances and concrete predicaments<sup>421</sup>.

Beyond these differential nuances, some aspects remain constant. Enmity requires homogeneity. This tendency is evident in Schmitt’s constitutional thought, where a sovereign people are required to recognise their homogeneity if they seek to formalise a decisive structure. As I previously discussed in Section III, Schmitt’s emphasis on the constitution can be perceived as an insistence on *Verfasstheit*– the constitution exists not merely as a constitution, i.e., a sum of individual laws, but as the specifically constituted being (*Verfasstheit*) of ‘the’ people<sup>422</sup>. This is evident in one of Schmitt’s interpretations of the (sovereign) decision, as noted in *Verfassungslehre*.

When in the interest of the political existence of the whole [politische Existenz des Ganzen] statutory violations and measures [souveräne Durchbrechungen und Maßnahmen] are used, the superiority of the existential element over the merely normative one [Überlegenheit des Existentiellen über bloße Normativität] reveals itself<sup>423</sup>.

For Schmitt, the decisively formative potential of the sovereign decision lies in its ability to establish a homogeneous “whole” (*Ganzes*). Disparate political forms become inconceivable if they diverge from the formational force of the sovereign. It is through the sovereign rupture (*Durchbrechung*), the statutory violation of the norm, that political being is magnified. Schmitt is convinced that political agency cannot be thoroughly encapsulated within a procedural framework; it cannot be nominally inscribed among other norms<sup>424</sup>. Ultimately, the very concept of the political, as articulated by Schmitt, resists notional abstraction.

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sovereign than others. These sovereign projections decisively confront and acknowledge the (often violent) dominance of physis.

<sup>421</sup> Derrida emphasises this tendency, in speaking of nominalism: “[Schmitt] defines an individual and a singularity that is itself exceptional: there is no sovereignty, there is the sovereign; the sovereign, the sovereignty of the sovereign exists, but the sovereignty of the sovereign exists only insofar as the sovereign exists: the generality does not exist; this is the profound and, up to a certain point, consistent nominalism of this political theory, of this theory of the political” (Derrida 2014, p. 85).

<sup>422</sup> (cf. *Verfassungslehre*, p. 16); (cf. *Constitutional Theory*, p. 71)

<sup>423</sup> (ibid. p. 154); (ibid. p. 107 [slightly modified])

<sup>424</sup> “The fiction of the absolute normative quality [absolute Normativität] then has no consequence other than that such a fundamental question like the one regarding sovereignty is left unclear.” (ibid. p. 155); (ibid. p. 108).

Since being is always formed by concrete and determined (bestimmt geartetes Sein) being(s), the constitution pertains to every form of Schmitt's political existence<sup>425</sup>. Thus, (political) Being is only legible through political beings. The coming-into-being of the political must be understood and evaluated through the constitution (Verfasstheit) of a political formation<sup>426</sup>. While these formative procedures give rise to a formalised constitution (Verfassung), Schmitt's framework prioritises the existential condensation of the political, which is mobilised by the sovereign decision and will (Wille). Both inherently require polemical demarcations.

The political, according to Schmitt, is nothing more than the sum of concrete, existential distinctions between friend and enemy, through which a people's form of being is articulated. These modalisations –unlike their perpetuating modus– are not timeless; they must continuously be reinforced. Should they fail to homogenise a people around a common foe, Schmitt questions not only 'a' people's existential capacity but also their prospects for survival.

A people's constitution (Verfasstheit) potentially provides the homogeneous medium necessary for a normative system to function<sup>427</sup>. In its absence, the sovereign decision's suspensive capacity acts as a contingent homogenising force. For Schmitt, this capacity, both dormant and vigilant, is the *causa prima* of sovereignty. The sovereign is responsible for homogenising otherwise disparate political situations, with the state of exception signalling the loss of this homogeneous medium.

In less abstract terms, homogeneity provides the relatively stable context necessary for Schmitt's community to form. In his case, this formation involves internal unity ('we' are the same) and external dissymmetry ('they' are different). Without this stability –what Schmitt refers to as a "homogeneous medium"– the structuring

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<sup>425</sup> (cf. *Begriff d. Politischen*, p. 77f); (cf. *Concept o. t. Political*, p. 85)

<sup>426</sup> Both *Dictatorship* and *Constitutional Theory* analyse the transitory phases where constitutive power has not yet solidified– neither forming a constitution nor evolving into a dictatorship. In such moments, one encounters unrestricted (schrankenlose) power (Macht). It is conceivable that a *pouvoir* constituent could defer the formation of a constitution (a *pouvoir constitué*). In this scenario, the sovereign represents the force that persists in the (un)decided interplay between *ordo ordinans* (an active ordering) and *ordo ordinatus* (the ordered) (cf. Schmitt 2010, p. 50). Throughout this process, the sovereign's decision is not anchored in a pre-existing constitution, but rather gestures towards a constitution yet-to come (herbeizuführen) (cf. *Diktatur*, p. 134). One could extrapolate a situation in which the yet-to-come remains perpetually in suspension. In this context, the sovereign's constitution (Verfasstheit) supersedes the formal constitution (Verfassung). In Chapter IV, I further attend to this extrapolation.

<sup>427</sup> (cf. *Dictatorship*, p. 118); (cf. *Diktatur*, p. 133f)



processes of a political community lack a foundation<sup>428</sup>. The suspensive decision provides this fleeting foundation.

During the decision, Schmitt's order is not lost but rather prevails through the act of suspension. Unlike Heidegger, Schmitt indirectly maintains the metaphysical presence and continuity of enmity. This continuity must solidify into a concrete outline; otherwise, it fails to galvanise the people or unite them in a common political aspiration, thereby weakening the existential force of the political.

In a related context, demarcating the division between the merely legal and the legitimate, Schmitt's *Legality and Legitimacy* insists on the necessity of a homogenous people for parliamentary democracy to function<sup>429</sup>. Schmitt critiques the redundancy of arithmetical majority decisions when citizens fraction into heterogeneous complexes of power (heterogene Machtkomplexe)<sup>430</sup>. Schmitt's democracy, whether parliamentary or not, relies on continuous and indivisible (durchgehend und unteilbar) homogeneity<sup>431</sup>.

Although Schmitt does not align his conservative authoritarianism with a democratic impulse, this elucidates his view of homogeneity as a foundational element of political existence. Heterogenous fractioning or fragmentation undermines the constitutional premise of continuous homogeneity, ultimately culminating in arbitrary rule. For Schmitt, enmity needs to be modalised homogeneously. This concern extends to his partial assessment of suspension: while a suspension might temporarily homogenise heterogenous elements, once the homogenising force subsides, the elements tend to disperse. Unsurprisingly, Schmitt *refrains from analysing the political capacity of dispersal*, thus precluding any notion of the political that operates without formal association, a common medium, or a shared structure<sup>432</sup>.

Enmity, along with its concomitant political demand, serves as Schmitt's only continuity in an otherwise polymorphic world. For Schmitt, all concepts of the ideal (geistige) sphere, including the notion of spirit, are pluralistic and can only be understood via their concrete political existence<sup>433</sup>. The concepts of friend and enemy,

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<sup>428</sup> (ibid. p. 118); (ibid. p. 133f)

<sup>429</sup> (cf. *Legalität/Legitimität*, p. 26)

<sup>430</sup> (cf. ibid. p. 42)

<sup>431</sup> (cf. ibid. p. 40)

<sup>432</sup> Contemplating dispersal or turbidity does not necessarily contradict Schmitt's critique of liberalism. Liberalism, unlike the amorphous resistance represented by dispersal, pursues asymmetrical cohesion. In a certain sense, liberalism homogenises, much like Schmitt's conservatism.

<sup>433</sup> (cf. *Begriff d. Politischen*, p 77f); (cf. *Concept o. t. Political*, p. 85). Schmitt's *Theory of the Partisan* provides an example. While the political discourse of 18<sup>th</sup> and 19<sup>th</sup> century Europe centred on the state, a conceptualisation of the 20<sup>th</sup> century requires refocusing on the revolutionary struggle between

as developed above, are no exception. These concepts must be grasped in their existential significance (Sinn), not as metaphors or symbols, and should not be diluted (vermischt) or weakened (abgeschwächt) by economic, moral, or other expectations (Vorstellungen). Since the political merely indicates the intensity of association and dissociation, it does not describe a specific topos or specialised field (kein eigenes Sachgebiet)<sup>434</sup>. In the absence of such a topos, the political seems to find lasting inscription only in the realm of conflict. Previously, I had insufficiently emphasised the most evident manifestation of this enmity: war<sup>435</sup>.

For Schmitt, war represents the preeminent expression of an existential dilemma. Neither rational purpose, norms, social ideals, legitimacy, nor legality can justify (rechtfertigen) acts of killing. In Schmitt's view, war embodies the willingness or disposition to die (Todesbereitschaft). Killing the enemy holds an exclusively existential significance (Sinn)<sup>436</sup>:

If such physical destruction of human life [physische Vernichtung menschlichen Lebens] is not motivated by an existential threat to one's own way of life [nicht aus der seinsmäßigen Behauptung der eigenen Existenzform gegenüber einer ebenso seinsmäßigen Verneinung dieser Form], then it cannot be justified<sup>437</sup>.

The translation lessens Schmitt's belligerent insistence. War cannot be justified unless it emerges from existential peril— where one's own form of existence (Existenzform) is threatened by ontological negation, the denial of a specific form of being (seinsmäßige Verneinung). Thus, war becomes the result of (existential) self-assertion (seinsmäßige Behauptung), aimed at preserving a specific existential form<sup>438</sup>. It represents the focal

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parties (revolutionärer Parteien-Krieg) (cf. *Theorie d. Partisanen*, p. 53); (cf. *Theory o. t. Partisan*, p. 34). Such perspectival shifts are necessary to capture the "concrete political [and contemporary] existence" of the political.

<sup>434</sup> (cf. *ibid.* p. 36); (cf. *ibid.* p. 38). This is one of the recurring themes in Schmitt's anti-liberal stance. Liberalism seeks to resolve these conflicts via deliberation, reducing the enemy to an economic competitor.

<sup>435</sup> "Nur im wirklichen Krieg entsteht ein Mythos." (*Pol. Romantik*, p. 166). "A myth arises only through veritable war." [my translation].

<sup>436</sup> (cf. *ibid.* p. 46); (cf. *ibid.* p. 48)

<sup>437</sup> (*ibid.*)

<sup>438</sup> In such confrontations of political form, sovereignty is Schmitt's foundational requirement for political existence. All sides depend on the continuity that such foundational moments aim to secure. In these moments, the unity (Ganzes) and the political will of a people are summoned, and, most crucially, the divergence between friend and enemy becomes strikingly apparent. If necessary, the sovereign declares the state of exception, which could potentially persist. The continuous suspension between *ordo ordinans* and *ordo ordinatus* is one strategy to ensure this normalised state of exception.

point of existential encounters, where agonism transitions into hostile antagonism, rendering the political distinction between friend and enemy most pronounced.

Particularly through war, the confrontation between political forms transforms beings into political beings. According to Schmitt, without the necessity of (political) survival or existential self-assertion, war would be unjustifiable<sup>439</sup>. In this sense, Schmitt's existential formalism, much like Heidegger's existential analytic, reveals finitude. However, this unconcealment of finitude is approached negatively, manifesting through a form of political existence imperilled by an adversary. The suspense induced by such peril compels Schmitt's beings to assume a political form.

Apart from his bellicose affirmation of war's presumed formational capacity, Schmitt remains unwilling to conceive of political forms that are fractured, dispersed, or heterogeneous. The existential conundrum of survival, in Schmitt's framework, ostensibly unifies both the individual and the political unit. The negation of an existential form affects not only the political structure but also individual being. Schmitt conflates these forms of being, as the political can only materialise through an existential will for unification— a homogenising unity that relies on heteronomy: either 'us' or 'them'. Any idiosyncratic refusal of war becomes a mere individual choice, a choice that fails to gain political traction. As a result, Schmitt shows little interest in a self, an ipse, that might —whether effectively or not— refuse to acknowledge a common form<sup>440</sup>. For Schmitt, the sovereign is the vanishing point that consolidates a homogenous political unit.

The suspension is a peculiar conceptual topos for this predicament. Schmitt's existential formalism emphasises only one aspect of this suspension: its contingent homogeneity. This emphasis aligns with his rigorous insistence on the necessity of a definite structural or formational outline. Regardless of how contingent or fragile the suspension may be, its exceptional status nevertheless achieves sovereign unification— at least hypothetically. Schmitt does not refrain from considering alternatives, which, in his view, lead to outcomes such as civil war, depoliticisation, liberal hegemony, or technological dominance.

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<sup>439</sup> (cf. *Verfassungslehre*, p. 46)

<sup>440</sup> He does not neglect the analysis of the partisan but regards such tactics as an intensification of the political: the political enemy transforms into an absolute enemy. Moreover, the partisan does not necessarily operate without the contingent unification of the political horizon (cf. *Theorie d. Partisanen*, p. 50ff).

These political forms are never autonomous; their meaning is composed of their material composition and their capacity to align disparate elements within the binary opposition of either/or, thereby demarcating a homogenous community. Simultaneously, this alignment may only implicitly intuit the ontological continuities that mark existence. Whether interpreted as enmity or *polemos*, as a negative anthropology derived from Hobbes, or as faithful adherence to *Genesis III, 15*, hostility or antagonism remains the immovable modus of political existence<sup>441</sup>.

This modus requires modalisation, meaning a decision to assume it as one's own politics. Schmitt's existential formalism is particularly evident in this approach, as his theoretical framework does not extend beyond the decision for such a hostile topos of politics. Whereas Heidegger, aside from the implications of Walten, allows for differential projections of existence, Schmitt proposes only two forms of political being: one that survives and one that perishes. These archaic poles are determined by homogeneity. The heterogenous decays, while the homogenous persists<sup>442</sup>.

Schmitt's sovereign remains acutely aware of the inherently hostile essence of political existence and the risk of insufficient 'unity'. It relies on the sovereign –whether an autocratic self or a collective entity– to authoritatively decree the suspension and its homogenising capacity. This does not merely secure a "homogenous medium" for the prevalence of 'order' but also facilitates the presumably frictionless unification of dispersed perspectives<sup>443</sup>.

Through my interpretation of Bataille, it will become evident that such unification is never frictionless. Bataille's heterogeneous ensembles or communities, unlike Schmitt's political units, are always dispersed and resist unification. It is through Bataille's *state of exaltation*, not Schmitt's *state of exception*, that another dimension of sovereign suspension becomes apparent: *heterogeneity*. This heterogeneity not only complicates the theorisation of sovereignty but also marks its limit. It is through hubristic attempts, which inevitably fail at reinterpreting sovereignty, that the communal becomes most prevalent.

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<sup>441</sup> The latter is emphasised by Meier (cf. Meier 2013, p. 36).

<sup>442</sup> (cf. Legalität/Legitimität, p. 40)

<sup>443</sup> (Dictatorship, p. 118); (Diktatur, p. 133f)

### 3. Exaltation, Heterogeneity, Ontological Hubris. Bataille

they are insufficiently conscious of what they are, when they labour to make themselves honoured and conspicuous by excessive expenditure.

Montaigne, *Essays*, Book III, VI

There is but one law that Bataille is willing to accept: the law of expenditure (*dépense*)<sup>444</sup>. According to the simplicity of this law, existence is inherently excessive. Free from any equilibrium, it is described as a “movement that bursts forth and consumes itself”<sup>445</sup>. In this forceful flow of effusion, the expended must yield to the emerging. The “new ones” join the dance of life with “new forces”<sup>446</sup>. Thus, the history of existence becomes a history of “wild exuberance”<sup>447</sup>. Bataille acknowledges that this “fact”, synonymous with a “law”, is generally ignored<sup>448</sup>. However, such disregard does not alter the observation that beings tread near the tumultuous brink of explosion<sup>449</sup>. In the face of a desire for stability, this impending detonation is presumably inevitable. However, destruction is not the sole outlet for this excess of energy. Bataille frames a sovereign choice that allows beings to decide otherwise.

Far from seamlessly aligning with *the state of exception*, which has been a principal model of sovereignty since Carl Schmitt, Bataille implicitly theorises a *state of exaltation*<sup>450</sup>. Whereas the decision on the exception homogenises and thereby unifies the political (self-) understanding of sovereignty (or sovereign unity), the state of exaltation represents the explosive peril of such unification<sup>451</sup>. It is no surprise, then, that Bataille views this excessive detonation as veritably sovereign. If sovereignty appears as “nothing”, it is precisely because conventional expressions of the sovereign

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<sup>444</sup> (cf. Bataille 1976, p. 19)

<sup>445</sup> “On the most fundamental level there are transitions from continuous to discontinuous or from discontinuous to continuous. We are discontinuous beings, individuals who perish in isolation in the midst of an incomprehensible adventure, but we yearn for our lost continuity. [...] only the beloved can in this world bring about what our human limitations deny [...] a continuity between two discontinuous creatures.” (Bataille 2001, p. 15; 20), which will be cited as *Eroticism*.

<sup>446</sup> (*Accursed Share II/III*, p. 85)

<sup>447</sup> (*Accursed Share I*, p. 33)

<sup>448</sup> (*Eroticism*, p. 59)

<sup>449</sup> (cf. *ibid.*)

<sup>450</sup> Bataille speaks of *dépassement*, a moving beyond (cf. Bataille 1987, p. 113). Mary Dalwood translates *dépassement* as a state of exaltation (cf. *Eroticism*, p. 112). While this translation might be overtly active, it lends itself to a comparison with Schmitt’s state of exception.

<sup>451</sup> (*ibid.* p. 65)

are inadequate— they negate the subject and thus the existential exuberance of life<sup>452</sup>. What I term Bataille’s ontological hubris attempts to challenge the traditional economy of sovereignty. However, as I demonstrate in the following pages, this hubris ultimately fails to destabilise the notion of sovereignty it critiques<sup>453</sup>. Consequently, instead of fundamentally rejecting ontological sovereignty, Bataille provides an exhilarating interpretation of the ontology of suspension: a state of exaltation.

Ontologically, Bataille assesses a momentum of forces that cannot be contained. Yet, this surge of excess is not without its own degree of measure. The state of exaltation, alongside its accompanying hubris —which presumably aims to destabilise either the metaphysical sovereign or the sovereignty of metaphysics— operates through a measured form of transgression, one that never transcends sovereign authority. Bataille’s exuberance or excess, while promising in its rejection of the dominant political context, operates under its own interpretation rather than an outright rejection of sovereignty<sup>454</sup>.

For my thesis at large, this implies that his model of ontological suspension — should it be politically employed— retains a notion of ontological sovereignty, thereby further linking the earlier discussion of Heidegger with my analysis of Schmitt. While Schmitt proposes to ontically ascertain the continuity of ontological enmity, Bataille, albeit more excentric than Heidegger, theorises excessive being within a horizon of exuberant Being. By employing this excess to stress the limitations of sovereignty, his ontology nevertheless fails to operate without a sovereign. This productive shortcoming allows me, in the following chapter, to stress the constitutive link between the ontology of suspension and ontological sovereignty, and to emphasise its aporetic dimension: the same force that maintains suspension resists attempts to reach an absolute grounding.

In a post-metaphysical world, Bataille does not envision a lack of grounding; instead, he conceptualises the ephemeral or liminal necessity of provisional grounding to facilitate another (sovereign) opening or direction<sup>455</sup>. Throughout the volumes of *The*

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<sup>452</sup> “Sovereignty is NOTHING“ (Accursed Share II/III, p. 256).

<sup>453</sup> While a fully unstable sovereign might be inconceivable, the suspension assists in conceptualising such instability.

<sup>454</sup> “Bataille knew better than anyone [...] what exceeds the formation of a simple connection between ecstasy and community, what makes each one the locus of the other [...]. However, Bataille himself remained suspended, so to speak, between the two poles of ecstasy and community.” (Nancy 1991, p. 20).

<sup>455</sup> It is Patrick Ffrench’s central argument that Bataille’s thought “is radically ungrounding” (Ffrench 2017, p. 33). I agree with the following assessment: “Bataille promotes an affirmative experience of the ‘fundamental’ contingency and destructive tendency of nature, the foundation of which is an absence

*Accursed Share (La Part maudite)*, but also throughout the rest of his œuvre, he tirelessly questions the paradoxes of sovereignty, suggesting a provocative inversion: in a system where everything serves, nothing is sovereign<sup>456</sup>. The preface of *The Accursed Share's* first volume quickly declares it a “book of political economy”, assessing capitalism as a system of servility, wherein every element –regardless of its relationship to the means of production– serves accumulative or productive expenditure<sup>457</sup>.

In a world determined by utility, Bataille aligns sovereignty with the useless, with non-productive expenditure<sup>458</sup>. Only by the reinvention of “sovereign values” can a system of complete servility be challenged<sup>459</sup>. Hence, Bataille seeks to conceive of a “sovereign form, which cannot serve any purpose.”, attempting to challenge the self-grounding (or validating) logic of sovereignty by complicating its dynamic<sup>460</sup>. Sovereignty, in this view, is not about absolute self-referentiality or solipsism, whether individual or collective; it is about detaching from any economy of ends. In this framework, the sovereign stance is one that recognises the use of uselessness, or more precisely, acknowledges that beyond accumulation and growth lies a degree of excess no longer bound to the realm of production, the domain of ends<sup>461</sup>.

At first glance, Bataille thus undermines sovereignty through his unconventional critique of political economy. By rejecting the attempt to ground meaning in a logic of production, he proposes instead a domain of excessive expenditure –a state of

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of ground” (ibid.). However, I propose that such ephemeral (un)grounding is a fundament in itself. I would side with Nancy’s assessment that Bataille’s fundament whether an Abgrund (abyss) or an Ungrund (no-ground) is still a ground: “It is a groundless ‘ground’, less in the sense that it opens up the gaping chasm of an abyss than that it is made up only of the network, the interweaving, and the sharing of singularities: Ungrund rather than Abgrund, but no less vertiginous.” (Nancy 2000a, p. 27). Jason Kemp Winfree speaks of an “ontology of insufficiency rather than ground”. (Winfree 2009, p. 35).

<sup>456</sup> As Nancy cites Bataille: “if it is possible that in the future men [sic] will be less and less interested in their difference from others, this does not mean that they will stop being interested in what is sovereign.” (Bataille cit. op. Nancy 1991a, p. 20).

<sup>457</sup> (*Accursed Share I*, p. 9). While everything serves the excess of a solar economy, Bataille does not extensively develop the extent to which such “service” translates into varying degrees of servitude.

<sup>458</sup> (cf. *Accursed Share I*, p. 13)

<sup>459</sup> Here, as is often the case, Bataille closely aligns with Nietzsche. Indeed, when taken to its culmination against the backdrop of the Cold War, Bataille appears to envision a community of Nietzschean subjectivities. As he asserts, “Nietzsche’s position is the only one apart from communism.” (*Accursed Share II/III*, p. 373).

<sup>460</sup> (ibid. p. 16)

<sup>461</sup> “Every consideration about ends leads back to sovereignty. The power of ends, as the power of the ultimate extreme, resides in a sovereignty. And every end, as such, is necessarily ordered by a sovereign end (a ‘sovereign good’).” (Nancy 2000b, p. 120).

exaltation— that cannot, or refuses to, curtail the play of forces it unleashes<sup>462</sup>. Nevertheless, as I will maintain, Bataille’s state of exaltation can, against his stated intention, be politically stabilised (however precarious such stabilisation may be) and thus sovereignly redirect an otherwise uncontrollable flux of forces. Unconcerned by all but the useless, there nevertheless remains a measure of sovereign authority. This authority might be unconditioned or insubordinate to ordinary utility, yet it still establishes sovereign power negatively<sup>463</sup>: “the formation of power demands that one forego its use.”<sup>464</sup>.

Bataille employs the analogy of the sun, to speak of a “play of energy that no particular end limits”<sup>465</sup>. The physical economy at large (physis) requires solar energy, which the sun emits without any expectation of return. This “useless” expenditure is mirrored by the “play of living matter in general”<sup>466</sup>. Any constellation of forces eventually encounters a limit beyond which growth ceases to be the primary drive. Both sexual and economic reproduction reach a point where energy –otherwise endlessly and asymmetrically employed to amass surplus– “must ultimately be spent lavishly”<sup>467</sup>. For Bataille’s political economy, this principle culminates in the catastrophic outbursts of war; in sexuality, it manifests as eroticism; and in religious practice, as transgression<sup>468</sup>:

By and large, there exists in the world an excess share of resources that cannot contribute to growth for which the “space” (better, the possibility) is lacking. Neither the share that it is necessary to sacrifice, nor the moment of sacrifice are ever given exactly. But a general point of view requires that at an ill-defined time and place growth can be abandoned, wealth negated, and its possible fecundations or its profitable investment ruled out<sup>469</sup>.

This excess is the accursed share; Bataille views it not merely as a temporary respite that facilitates the accumulation of ‘productive’ energy, but rather as a potential fault

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<sup>462</sup> (cf. *Accursed Share I*, p. 21). Bataille does not aim to stabilise meaning; rather, he highlights phenomena that escape conventional meaning— erotic outbursts beyond reproduction, religious transgression, and exuberant experience.

<sup>463</sup> (cf. Stoeckl 2007, p. xiii)

<sup>464</sup> (*Accursed Share I*, p. 89)

<sup>465</sup> (*ibid.* p. 23)

<sup>466</sup> (*ibid.*)

<sup>467</sup> (*ibid.* p. 22)

<sup>468</sup> (cf. *ibid.* p. 23ff); (cf. *Eroticism*, p. 95)

<sup>469</sup> (*Accursed Share I*, p. 182)



line for collapse<sup>470</sup>. Where growth is abandoned, wealth negated, and profitability ruled out, the political economy reaches a limit<sup>471</sup>. This limit is structurally necessary as there is an excess of energy that cannot be seamlessly reintroduced into production. Simultaneously, this limit is where the sovereign authority of excess invalidates any conventional sovereign form. Bataille questions how to deal with the accursed share during these moments, and, unlike Heidegger or Schmitt, this concerns a communal response. To think Bataille's sovereignty, I suggest considering that the communal treatment of the accursed share potentially entails an ontological hubris. Failing to unsettle the sovereign rule of excess, this hubris magnifies a state of exaltation.

Bataille's conceptual complication of sovereignty –where the sovereignty of excess invalidates sovereign form, as everything serves within a regime of utility– does not move beyond the sovereign, nor does it give rise to a non-sovereign state of being or existence. Sovereignty, as a positive reference, remains intact. Without lessening Bataille's invaluable commentary on an excess share, it suggests an alternative manifestation of sovereign power. The “ill-defined time and place” he signals risks generalising a state of exception, where excessive exaltation and exception become integral to an economy that reinforces sovereign authority<sup>472</sup>. In Bataille's thinking, hubris and sacrifice are not diametrically opposed. Hubris, marked by excessive hyperbole and a transgression against divine laws, inevitably culminates in a fall<sup>473</sup>. Sacrifice, on the other hand, implies a gesture of humility towards a ruling force; these elements are intertwined, both resisting and participating in a regime of utility.

From the perspective of an economy of utility, sacrificial acts are hubristic– they squander rather than accumulate, they appreciate without yielding production. Setting aside Bataille's conflicting readings of sacrifice for the moment, I note that this “truly” sovereign operation, distinct from utilitarian concerns, seems to epitomise a refusal, a revolt against the exercise of power<sup>474</sup>: “The sovereign operation, whose authority derives only from itself– expiates that authority at the same time. If it did not expiate itself, it would have some point of application, it would seek an empire, duration.”<sup>475</sup>.

Bataille's conception of sovereignty requires expiation. Without it, the state of exaltation turns into Schmitt's state of exception, reinverting the sovereignty of the

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<sup>470</sup> This fault line could equally signify a crisis, where Schmitt's state of exception emerges.

<sup>471</sup> (cf. *Accursed Share I*, p. 182)

<sup>472</sup> (*ibid.*)

<sup>473</sup> (cf. Benjamin 1991b, p. 197)

<sup>474</sup> (cf. Bataille 2014, p. 196), which will be cited as *Inner Experience*.

<sup>475</sup> (*Inner Experience*, p. 198).

useless into a sovereignty of conventional authority. Moreover, Bataille's ontological hubris –presumably providing reprieve from the totalising logic of use– could become what Nancy describes as a “measurable excess par excellence”<sup>476</sup>. In this scenario, hubris is merely a contained burst of excess, subservient to a larger ontological domain, suspending but not eliminating sovereignty<sup>477</sup>. Bataille, who adapts Blanchot's notion of the “expiation of authority”, does not analyse this act of sovereign self-expiation, despite its significance<sup>478</sup>. Only expiation, invoking the role of sacrifice and faith, could lastingly replace the sovereign decision. Since Bataille chooses not to develop this dimension, the sovereign decision regarding the specific treatment of the accursed share remains intact. In other words, to avert catastrophe, the state of exaltation requires a sovereign decision; excess must be dispelled. While this choice might be transient, expiatory, or non-sovereign, it still fulfils a traditional sovereign function by ensuring the finite continuity of a precarious community.

In the sections that follow, I will develop my understanding of Bataille's peculiar sovereignty. This allows me to consider the dynamic between ontological suspension and ontological sovereignty– the two poles that map the sovereign terrain. Section I first addresses Bataille's statement that sovereignty is nothing, clarifying that this nothingness derives from his observation that a system of comprehensive servility precludes any sovereign operation. He starts from this point to envision a reinvention of (sovereign) values that presumably operates beyond sovereignty. I argue that Bataille's attempt to move beyond utility proposes another use of sovereignty. To this end, Section I contrasts his state of exaltation with Schmitt's state of exception, provisionally perceiving excess as a generalisation of the exception. This comparison elucidates both the ‘uselessness’ of Schmitt's sovereign and the utility a ‘useless’ sovereign has for Bataille's ontological assessment.

Section II interprets Bataille's notion of ontological excess and the concomitant ignorance that prompts beings to construct a self-serving logic of utility. In contrast to such a logic, Bataille insists that productive activity remains inscribed in a larger kosmic context of uselessness. Political economy refutes the idea that a point is eventually reached where the amount of available energy exceeds reproduction and growth. Bataille terms this surplus an excess share, and the limited function of sovereignty in his ontological assessment is to decide on the treatment of this excess, which can

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<sup>476</sup> (Nancy 2000c, p. 180)

<sup>477</sup> This is how Bataille understands transgression (cf. *Eroticism*, p. 36).

<sup>478</sup> (*Inner Experience*, p. 198)

either be dispelled tragically or catastrophically. In this sense, the limited utility of sovereignty involves acknowledging servility and moving beyond it. Briefly tracing these options through Bataille's notion of eroticism and inner experience, the section concludes with his notion of being, which is inevitably communal.

Section III assesses Bataille's negative community as a contingent multiplicity that seeks to mitigate the catastrophic dimension of production. In his efforts to conceptualise the dispensation of the accursed share through alternative means, Bataille relies on the notion of suspension. His beings are never autonomous; they are always composed of differential components that prevent self-enclosure. This ontological rejection of autonomy leads Bataille to insist on what I interpret as a notion of heterogeneous suspension. This suspension allows individuals to form transient ensembles. By drawing parallels with Heidegger and contrasting this suspension with Schmitt's emphasis on homogeneity, I summarise the political utility of such suspensational thought.

Section IV concludes the chapter by framing Bataille's suspension within what I conceptualise as his ontological hubris. Bataille searches for less violent means of discharging the accursed share through sacrifice. Sacrifice, for him, allows for the removal of the sacrificial object from the destructive circularity of production. Because sacrifice never escapes the logic it is supposed to critique, I perceive it rather as a notion of hubris that understands the vanity of its attempts at ontological transformation. I argue that Bataille does not ultimately depart from a sovereign logic that allows heterogeneous political communities to form.

## **I. Exceptional or Excessive Sovereignty**

Bataille criticises the servile sovereign by appealing to the tautology of limited sovereignty— while the sovereign should know no limits other than the self-imposed ones, sovereignty is constrained by a larger economy of use<sup>479</sup>. In this respect, Bataille's sovereignty appears less exceptional than Schmitt's formalist sovereign, who represents self-referential enclosure. Despite its affiliation with the useless and the unmeasurable, Bataille's notion of sovereignty embodies a non-utilitarian restraint of

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<sup>479</sup> The solipsism of ipseity –a self, ipse, that grounds itself– contrasts sharply with Schmitt's conception of sovereignty, which is fundamentally responsive rather than originating from a deistic *creatio ex nihilo*. Schmitt's sovereign is reacting rather than acting in isolation. The state of exception, as the quintessential expression of sovereign grounding, specifically responds to the threat of de-politicisation.

power— not as a refusal, but as a different mode of employment<sup>480</sup>. He asserts that sovereignty is achieved not through the exercise, but through the renunciation, of power<sup>481</sup>. The sovereign object is thereby inverted, while the sovereign subject, albeit different from Schmitt's, remains intact. Despite Bataille's declaration that sovereignty is "NOTHING", I maintain that his thought proposes a form of sovereign authority: "I think I have adequately accounted for the impossibility of grasping sovereignty as an object [...]. Sovereignty is NOTHING, and I have tried to say how clumsy (but inevitable) it was to make a thing of it."<sup>482</sup>

Bataille notes this before transitioning to "the opening of art, which always lies but without deceiving those whom it seduces"<sup>483</sup>. Unlike the capitalist lie of labour (e.g., you are sufficiently remunerated), the artistic lie does not seduce. Without following Bataille onto the terrain of "art", it is important to note that the sovereign object (the object of sovereignty), as opposed to the sovereign subject, is characterised as "NOTHING"<sup>484</sup>. Bataille's analysis culminates in an affirmation of Nietzsche's subject, which is capable of both destroying and founding values anew<sup>485</sup>. Bataille thus acknowledges his indebtedness to Nietzsche, who argued that humanity must reject "the reign of things", with science exemplifying this reign by ensuring "the mind's subordination to the object."<sup>486</sup>

These passages not only contextualise Bataille's Nietzsche but also delineate the framework within which "*The Accursed Share* perceives a basis for starting anew."<sup>487</sup>. This renewal involves a reinvention of values and starts with the previously noted acknowledgement that in a system where everything is servile, nothing is

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<sup>480</sup> Lately, scholars have recognised that Bataille's concept of excess is not completely unrestrained. As Eugene Brennan argues, Bataille's work should be reconsidered for the "sobriety and restraint" of his politics (Brennan 2017, p. 217). Or as Andrew Mitchell and Jason Kemp Winfree note: "[the] self-limiting characteristic of [Bataille's notion of] sovereignty is perhaps what is most at odds with the popular caricature of Bataille as excremental hedonist." (Mitchell/Winfree 2009, p. 13).

<sup>481</sup> (cf. Mitchell/Winfree 2009, p. 13); (cf. *Accursed Share* I, p. 89)

<sup>482</sup> (*Accursed Share* II/III, p. 256)

<sup>483</sup> (ibid.)

<sup>484</sup> (ibid.)

<sup>485</sup> (cf. ibid. 365ff). This affirmation culminates in the following conviction: "I am the only one who thinks of himself not as a commentator of Nietzsche but as being the same as he." (ibid. p. 367).

<sup>486</sup> (ibid. p. 367). For Bataille, the guiding question of science is: "What is the use of that?" (ibid. p. 112). In the process of scientific abstraction, things form a utilitarian chain of correlations: "one thing is related to another, for which the first is useful" (ibid.). Against this dynamic, Bataille seeks a "sovereign totality": "We escape this empty and sterile movement [...] only by entering a very different world where objects are on the same plane as the subject, where they form, together with the subject, a sovereign totality which is not divided by any abstraction and is commensurate with the entire universe." (ibid.).

<sup>487</sup> (ibid. p. 367)

sovereign<sup>488</sup>. Although such a system presumably lacks sovereign subjects, it does not preclude the existence of a sovereign object: it is “clumsy (but inevitable) to make a thing of it”<sup>489</sup>. Even in Bataille’s framework, (the object of) sovereignty subjects beings to its ontological purview— which posits utility as the predominant measure of existence. However, rather than adhering to Bataille’s proposal of a realm of inner experience that resists servility and reflects life’s excess, seducing without deceiving, it might be crucial to continue reflecting on this syntagm: “Sovereignty is NOTHING”<sup>490</sup>.

I argue that Bataille does not abandon sovereignty for the non-sovereign; instead, he invites one to consider another notion of sovereignty. In the context of such a reinvention, he confronts the inevitable conundrum that every thought of sovereignty faces— the question of foundation. As Nancy states: “we are incapable of thinking of foundation without sovereignty, or of sovereignty itself without thinking in terms of exception and excess”<sup>491</sup>. Let me therefore contrast the state of exception and what I interpret as the state of exaltation<sup>492</sup>.

Carl Schmitt’s state of exception, whether permanent or fleeting, succinctly expresses his emphasis on sovereign power. Schmitt’s sovereign does not abstain from employing power but actively seizes it. This very act of seizure arguably manifests political authority in Schmitt’s theory. Not confined by existing norms, the sovereign establishes a new normative constellation that supersedes (and iterates) the existing juridical structure. Through the exception, the sovereign decisively severs ties with any pre-established system of ends<sup>493</sup>. More unrestrained than Schmitt’s calculating prose, Bataille’s analysis of the military sovereign aligns with Schmitt’s depiction of a

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<sup>488</sup> (ibid. p. 16)

<sup>489</sup> (ibid. p. 256)

<sup>490</sup> (ibid.). As Nancy notes, Bataille’s syntagm is quite close to the way in which Heidegger’s Being “is not”; “Which is to say that sovereignty is the sovereign exposure to an excess (to a transcendence) that does not present itself and does not let itself be appropriated (or simulated), that does not even give itself— but rather to which being is abandoned. [...] The Being of the finite being exposes it to the end of Being.” (Nancy 1991a, p. 18). Later, again contemplating Bataille’s “Sovereignty is NOTHING”, Nancy supplements his assessment: “What this sentence ‘means’ cuts off one’s breath [...] but it most certainly does not mean that sovereignty is death— quite to the contrary.” (Nancy 2000c, p. 139).

<sup>491</sup> (ibid. p. 107)

<sup>492</sup> Bataille’s state of exaltation and Schmitt’s state of exception both describe a response to divergent assessments of existence. I do not seek to reconcile their intentions, but instead propose to consider the similarities that mark their elusive understanding of an ontological predicament, which inevitably forces one to confront and consult sovereignty.

<sup>493</sup> As recapitulated in the previous chapter, Schmitt ardently defended this conception of sovereignty against the legal positivists who sought to supplant sovereign authority with procedural norms. In short, legal positivism seeks to replace the sovereign with the norm, while Schmitt insists that such replacement is impossible; no norm can anticipate the exception.

sovereign decision that both (re-)establishes sovereign authority and assures the hostile continuity of the political:

The military sovereign [...] is there to direct the violence outside, and to preserve the vital force of the community from internal consumption, from ruination. He is committed from the start to the path of appropriations, of conquests, of calculated expenditures, whose purpose is growth.<sup>494</sup>

Bataille's military sovereign, who resembles Schmitt's default sovereign, conserves "vital force" through a redirection of energy<sup>495</sup>. In terms of my previous chapter, this implies that Schmitt's homogeneous community retains its vitality, that is, its politicisation, in the form of a concrete modalisation of enmity— through an active heteronomy with what Bataille calls an "outside"<sup>496</sup>. Bataille emphasises a domain of utility in which the sovereign cannot help but serve. This subservience undermines sovereignty, leading Bataille to conceive it as nothing. His notion of sovereign servitude thus relies on the assessment that a larger domain of excess engulfs existence. This excessive existence might be termed a state of exaltation.

Such an existential state presumably represents the polar opposite of Schmitt's theoretical spectrum. Removed from notions of appropriation, growth, and calculation, Bataille's concept of exuberance shatters, and thereby extends, the confines of the exception. Whereas Schmitt conceives the state of exception as a means to rejuvenate a clear and hostile political form, Bataille's exaltation renders such formalism inconceivable. Where excess predominates, political form is contingently short-lived<sup>497</sup>.

For Bataille, beyond mere growth and political survival —which he regards as complementary— lies a realm of expenditure that serves no purpose, apart from the useless. In Bataille's eyes, Schmitt's sovereign would appear servile: trapped in a cycle of necessary expenditure, unable to break free from the demands of utility<sup>498</sup>. His sovereign, much like Marx's depiction of the state apparatus in the *Manifesto*, administrates, defends, and serves a regime of utility<sup>499</sup>. According to Bataille, a servile sovereign is no sovereign at all. The only escape from this servility is through exuberant

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<sup>494</sup> (Accursed Share I, p. 90)

<sup>495</sup> (ibid.)

<sup>496</sup> (ibid.)

<sup>497</sup> Schmitt's decision can thus be considered as a means to contain excess (for instance, in the form of civil war) to prevent the destruction of his political community.

<sup>498</sup> As a result, the sovereign is not sovereign.

<sup>499</sup> (cf. Engels/Marx 1977, p. 464)

recourse to the useless, to the excessive. This exaltation does not simply generalise the exception; it blurs the distinction between the consolidated and the unconsolidated, the formal and the formless, the exceptional and the normal, the friend and the enemy, rendering them indistinguishable.

Bataille's excess supplements and generalises Schmitt's regime of the exception. Before outlining this supplementary relationship, I should further specify Bataille's sovereign modification that retains the utility of the "useless" sovereign<sup>500</sup>. In the preface to Volumes II and III of *The Accursed Share*, Bataille writes:

The paradox of my attitude requires that I show the absurdity of a system in which everything serves, in which nothing is sovereign. I cannot do so without showing that a world in which nothing is sovereign is the most unfavourable one; but that is to say in sum that we need sovereign values, hence that it is useful to have useless values.... [...] We are clearly concerned, this time, with a sovereign form, which cannot serve any purpose<sup>501</sup>.

As everything is subordinate to the end of the useful or utility, the ipseity that sovereignty politically describes appears to be precluded. The self (ipse), merely grounded in itself (ipseity), is thwarted by a larger political economy that prioritises utility<sup>502</sup>. Aside from other tautologies that render such self-grounding inconceivable, capitalism's overarching rule prevents a self-serving sovereign form. One serves a regime of utility, and this regime itself, as I specify in the ensuing section, is subsumed within a domain of excess.

Despite this, Bataille appreciates the useless regime of value that sovereignty establishes, stating that "it is useful to have useless values". This appreciation for uselessness allows him to conceptualise a sovereign form "that cannot serve any purpose"<sup>503</sup>. In this sense, sovereignty is nothing only as far as it remains devoid of practical application (i.e. the use of uselessness is absent). This conceptualisation paves the way for a new sovereign form— a new beginning, however ephemeral, fragile, or un(re)presentable it may be.

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<sup>500</sup> (Accursed Share II/III, p. 16)

<sup>501</sup> (ibid.)

<sup>502</sup> "whenever it is a question, for example, of sovereign self-determination, of the autonomy of the self, of the *ipse*, namely, of the one-self that gives itself its own law [...]. By *ipseity* I thus wish to suggest some 'I can', or at the very least the power that gives itself its own law, its force of law, its self-representation [...]. Before any sovereignty of the state, of the nation-state, of the monarch, or, in, democracy, of the people, ipseity names a principle of legitimate sovereignty, the accredited or recognized supremacy of a power or a force, a *kratos* or a *cracy*." (Derrida 2005, p. 11f).

<sup>503</sup> (Accursed Share II/III, p. 16)

Nancy views Bataille's sovereignty as an excess, a form of transcendence to which one is inevitably abandoned<sup>504</sup>. Borrowing from Heidegger, existence suggests that one is thrust into this excess; consequently, the fundamental question of existence transforms into how one ought to respond to this state of excessive abandon. This is where Bataille's sovereign form that "cannot serve any purpose" becomes relevant. It guides being through the predicament of excessive Being. Through Nancy, Bataille's inquiry aligns with Heidegger's search. However, before further addressing this alignment, I should again draw the attention to the great absence in Bataille's discussion: Carl Schmitt.

Schmitt's exception, unlike Bataille's exaltation, serves an explicit purpose: it (re-)establishes political structure when its form is waning and reinforces hostility when this archetypical political modality is at risk of being supplanted, thereby threatening Schmitt's politics as such<sup>505</sup>. For Schmitt, these 'purposes' are existential, representing life-and-death stakes<sup>506</sup>. Arguably, the persistence of the political –whether driven by theological or otherwise dogmatic demands– does not inherently serve any utilitarian function. Rather, it exposes an antagonistic moment that may or may not be confronted, as Schmitt's critique of liberalism suggests<sup>507</sup>. In this context, Bataille's analysis of how "archaic" societies approached the question of sovereignty, before it was posed in its "rational form", is illustrative<sup>508</sup>:

[They] knew that sovereignty cannot be the anticipated result of a calculated effort. What is sovereign can only come from the arbitrary, from chance. There ought not exist any means by which man [sic] might become sovereign: it is better for him to be sovereign [...]. How could anything have been more important, for everyone, than the certainty, at one point, of attaining a useless splendour, of surpassing at that point the poverty of utility<sup>509</sup>?

This "archaic" conception partially corresponds to Schmitt's notion of the exception. While certain political scenarios may involve strategic planning and anticipation, the structural characteristics of Schmitt's state of exception defy such calculation. No normative framework can fully anticipate the sovereign decision; likewise, no system

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<sup>504</sup> (cf. Nancy 1991a, p. 18)

<sup>505</sup> For example, by the liberal *technē* of deliberation (cf. *Pol. Theology*, p. 5ff; 12f).

<sup>506</sup> (cf. *Glossarium*, p. 65; 120; 151; 155)

<sup>507</sup> (cf. *Constitutional Theory*, p. 235).

<sup>508</sup> "Reason is bound up with work and the purposeful activity that incarnates its laws." (*Eroticism*, p. 168).

<sup>509</sup> (*Accursed Share II/III*, p. 226)



of norms, however comprehensive, can anticipate every exceptional scenario<sup>510</sup>. The precise purview or scope of this sovereign decision cannot be prescribed. It is here that Schmitt inscribes his state of exception. Recognition of the excess prompting new or old sovereign forms is exceptional, as Bataille notes: “excess is rather the exception than the rule”<sup>511</sup>.

The excess Bataille circumscribes represents a pole of the sovereign economy that Schmitt was reluctant to consider. Unintentionally, Bataille conceptualises the excessive caprice that underpins Schmitt’s understanding of political utility. Both Bataille and Schmitt envision a sovereign of useless splendour. While Schmitt enumerates various uses of sovereignty, such as the critical friend/enemy distinction, this distinction serves no purpose other than to sustain the political community through its opposition to heteronomous or ‘external’ elements<sup>512</sup>. Schmitt’s sovereign modalises his ontological modus: enmity. This modalisation is necessary to maintain the continuity of his political causa prima— homogeneous communities that facilitate political survival, a goal which, devoid of further qualification, may be as ‘useless’ as any political ‘use’<sup>513</sup>. “Nothing must ever submit to the useful”<sup>514</sup>, as Bataille insists. Thus, Bataille might appreciate the useless imposition of servility that Schmitt proposes, as it allows for the conceptualisation of a “sovereign form” that cannot “serve any purpose”<sup>515</sup>.

Nevertheless, Bataille would likely reject Schmitt’s “intellectual abstraction”<sup>516</sup>. Schmitt commits what Bataille might consider a scientific error by inscribing sovereign use in a utilitarian sequence of correlations. Following this (circular) sequence –from

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<sup>510</sup> Thus, a (juridical) system requires an auctoritatis interpositio, which determines who has the authority to respond under exceptional circumstances. This forms the cornerstone of Schmitt’s juridical argument against Hans Kelsen and other legal positivists (cf. Kelsen 1981).

<sup>511</sup> (Bataille 2012, p. 130). Bataille notes this in the preface to *Madame Edwarda*.

<sup>512</sup> (cf. Begriff d. Politischen, p. 25); (cf. Concept o. t. Political, p. 25f). I should specify that I regard Schmitt’s *Political Theology* and his *Concept of the Political* not as isolated expressions of his political conviction. The sovereign of the *Political Theology* is required to ensure the continuity of the political antinomy, as expressed in the *Concept of the Political*.

<sup>513</sup> Schmitt magnifies the stakes of this survival: should a people lose the power (Kraft) or the will to sustain itself in the realm of the political, it is not the political that is extinguished, but a weak people (schwaches Volk) (cf. Begriff d. Politischen, p. 50); (cf. Concept o. t. Political, p. 53). Also, he, of course, ventures to “qualify” survival and does this by hypostasising the colonial past of Europe. Much of *The Nomos of the Earth* is thus a work of mourning; the lost object is the sovereign order of the Jus Publicum Europaeum (cf. Schmitt 2006, p. 67ff).

<sup>514</sup> (Accursed Share II/III, p. 226)

<sup>515</sup> (ibid. p. 16). As Alphonso Lingis summarises: “every [...] organism generates energies in excess of those it needs to maintain itself. Sovereignty is affirmed not in the use of these energies but in their intensity. These energies are discharged, imprudently, without calculation, without recompense. [...] Sovereignty does not reign [...] having nothing that is not ridiculous and unavowable.” (Lingis 2009, p. 121).

<sup>516</sup> (cf. Accursed Share II/III, p. 112)

the decision to the exception, to the modalisation of political form— the object of sovereignty is nothing but the continuity of this circular movement, perpetually rotating in this abstract and self-referential motion<sup>517</sup>.

“What is the use of that?”<sup>518</sup>— this is the major question of abstraction or “science”, as Bataille notes. When Schmitt’s sovereign orbit, or any similar construct, is subjected to such scrutiny, it inevitably collapses. There is no “external” use or purpose that sovereignty should serve— a point on which Bataille and Schmitt would concur. Yet, Bataille’s reading of political economy suggests that even a sovereign ultimately performs a function within a utilitarian context: the useless sovereign serves. If the sovereign is subservient, sovereignty cannot exist. However, at this crucial juncture, Bataille does not simply abandon the notion of sovereignty; instead, he searches for a domain where the object and the subject of thought are not isolated<sup>519</sup>. This plenum of immanence would embody “true” sovereignty.

Despite their profound differences, both Bataille and Schmitt conceptualise existential states —of exaltation and exception, respectively— that amplify sovereign authority. As I will develop in Section III, the difference lies in the distribution of this authority: Schmitt prefers a singular sovereign, whereas Bataille envisions a sovereign multitude<sup>520</sup>. For Schmitt, sovereignty is a political and structural imperative; for Bataille, it is an ontological necessity<sup>521</sup>.

Excess and exception correspond to one another, they are interdependent elements in evaluating the ontic predicaments of (political) existence. Schmitt never concealed his negative anthropological conviction; his understanding of war is an inevitable expression of this stance<sup>522</sup>. Bataille, on the other hand, infers his interpretation of excessive natural abundance from the broader ontological context of

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<sup>517</sup> Maybe this Machiavellism is one of Schmitt’s strengths, he does not pretend to bestow the vacuity of this motion with moral use.

<sup>518</sup> (ibid.). “In itself science limits consciousness to objects; it does not lead to self-consciousness (it can know the subject only by taking it for an object, for a thing)” (Accursed Share I, p. 134).

<sup>519</sup> This is why Bataille demands to study erotic life, where the object and the subject mostly occupy the same plane (cf. Accursed Share II/III, p. 113).

<sup>520</sup> In one of his readings of Sade, Bataille notes: “Our desire to consume, to annihilate, to make a bonfire of our resources, and the joy we find in the burning, the fire and the ruin are what seem to us divine, sacred. They alone control sovereign attitudes in ourselves, attitudes that is to say which are gratuitous and purposeless, only useful for being what they are and never subordinated to ulterior ends.” (Eroticism, p. 185).

<sup>521</sup> “Bataille made of ‘sovereignty’ not a political but an ontological and aesthetic or ethical concept” (Nancy 2009, p. 21f).

<sup>522</sup> Schmitt extends Clausewitz’s apothegm, war becomes a catalyst for political survival: every declaration of war is a declaration of enmity (cf. Clausewitz 2007, p. 8); (cf. Theory o. t. Partisan, p. 60).

physis. He avoids determining his understanding of expenditure as positive or negative<sup>523</sup>. In the face of exuberant abundance, which Schmitt views as a threat and Bataille sees as a possibility, two supplemental states emerge: the state of exception and the state of exaltation. The former seeks to authoritatively ‘order’ the ‘disorder’ of political complacency, while the latter envisions synchronicity between (political) life and the abundance of physis. Ultimately, both demand a sovereign response to what they perceive as a threat to existence<sup>524</sup>. Having stressed this relationship, I now turn to the ontological excess that prompts Bataille’s sovereign response.

## II. Immeasurable Excess

In line with Heidegger and Schmitt, Bataille maintains that a fundamental misperception underlies our understanding of the ontological sphere. His is a peculiar delusion that does not seamlessly correspond with Heidegger’s *Seinsvergessenheit* or Schmitt’s fear of depoliticisation. Instead, Bataille argues that beings deceive themselves into believing that their employment of resources and habits of production ‘serve’ only their immediate needs. This engagement of forces, however, involves a larger context:

Humanity exploits given material resources, but by restricting them as it does to a resolution of the immediate difficulties it encounters (a resolution which it has hastily had to define as an ideal), it assigns to the forces it employs an end which they cannot have. Beyond our immediate ends, man’s [sic] activity in fact pursues the useless and infinite fulfilment of the universe<sup>525</sup>.

According to Bataille, political economy assigns to the forces it employs an “end which they cannot have”; these forces are ultimately excessive, defying a simple economy of growth<sup>526</sup>. More precisely, this disregard derives from a misunderstanding of the play of energy that permeates existence at large. As the planetary surface receives more (solar) energy than necessary for the maintenance of life, surplus force cannot be conclusively reinscribed or perpetually fed back into growth:

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<sup>523</sup> For Bataille, there is only one ethical choice, and it concerns a response to the excessive. I will specify this response below.

<sup>524</sup> In the case of Schmitt, this threat is liberalism (cf. *Constitutional Theory*, p. 235). In the case of Bataille, it is servility (cf. *Accursed Share II/III*, p. 16).

<sup>525</sup> (*Accursed Share I*, p. 21)

<sup>526</sup> (*ibid.*)

excess energy (wealth) can be used for the growth of a system (e.g. an organism); if the system can no longer grow, or if the excess cannot be completely absorbed in its growth, it must necessarily be lost without profit; it must be spent, willingly or not, gloriously or catastrophically<sup>527</sup>.

Diverging from Marx's analysis in *Capital* –arguably the most influential critique of political economy– Bataille does not extensively examine the exploitative accumulation typical of capitalist economies. Instead, he shifts the focus to the larger forces that enable surplus production. For Bataille, the primary driver of economic expansion is not found in the disproportionate 'use' of labour or the modernisation of the means of production<sup>528</sup>. His main concern is the phenomenon of overproduction, the so-called accursed share<sup>529</sup>. This accursed share designates the part of accumulation that neither serves growth nor maintenance; it can only be spent without return:

Minds accustomed to seeing the development of productive forces as the ideal end of activity refuse to recognise that energy, which constitutes wealth, must ultimately be spent lavishly (without return), and that a series of profitable operations has absolutely no other effect than the squandering of profits<sup>530</sup>.

The system of productive expenditure, according to Bataille's Hegelian conviction, operates negatively– a perspective he steadfastly upholds despite his critical distance<sup>531</sup>. It reaches moments where the production of surplus has accumulated a degree of wealth that can no longer be reintroduced into the dialectical movement; it needs to be wasted. Without this necessary waste, which represents a shift in the boundaries of growth, expenditure reaches its limits. As energy perpetually exists in excess, Bataille's state of exaltation prompts an analysis framed "in terms of

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<sup>527</sup> (Accursed Share I, p. 21)

<sup>528</sup> Unlike Marx, who analysed the limits of capitalist accumulation through factors such as decreasing profit rates, monopolisation, imperialism, and colonial exploitation (cf. Marx 2008a, p. 56ff; 85ff; 185ff; 214ff).

<sup>529</sup> (cf. *ibid.* p. 451ff; 640ff; 744ff; 792). Of course, Marx did not ignore overproduction (cf. Marx 2008b, p. 221ff).

<sup>530</sup> (Accursed Share I, p. 22)

<sup>531</sup> Derrida frames Bataille's Hegelianism as the transition from a restricted to a general economy. For Derrida, Bataille's indebtedness to Hegel is a constraint that cannot be easily undone (cf. Derrida 1978, p. 251): "The blind spot of Hegelianism, around which can be organized the representation of meaning, is the point at which destruction, suppression, death and sacrifice constitute so irreversible an expenditure, so radical a negativity –here we would have to say an expenditure and a negativity without reserve– that they can no longer be determined as negativity in a process or a system." (*ibid.* p. 259).

extravagance”<sup>532</sup>. This analysis addresses how “wealth is to be squandered”, which Bataille identifies as a sovereign choice— a decision on how surplus should be spent without return<sup>533</sup>. After these introductory remarks on the excessive characteristics of what he terms a general economy, Bataille illustrates his point through the example of war. If peaceful methods of squandering are not employed, accumulation eventually reaches a threshold where the only recourse is the catastrophic expenditure of war<sup>534</sup>: “if we do not have the force to destroy the surplus energy ourselves [...] it is this energy that destroys us; it is we who pay the price of the inevitable explosion.”<sup>535</sup>. In his analysis of political economy, such calculated waste ultimately culminates in war. However, Bataille’s state of exaltation envisions another, incalculable economy of expenditure— which defies reintegration into or sublation of the larger dialectic of utility. Like champagne that overflows, it cannot be rebottled and resold<sup>536</sup>.

The state of exaltation thus culminates in a sovereign choice: how to dispel the accursed share<sup>537</sup>. This decision concerns the question of surplus, which, upon accumulating beyond a certain threshold, cannot be reincorporated into the cycle of accumulation<sup>538</sup>. Instead, it must be destroyed. If not handled wisely, this destruction results in what Bataille describes as an “inevitable explosion”<sup>539</sup>. This choice is embedded in the capitalist logic of production, a particular form of economy, according to Bataille. Capitalism is no longer general (indeed, economy is never considered “in general”, as Bataille insists); it operates within an overarching ontological domain (arguably, *physis*) characterised by excessive abundance<sup>540</sup>. Ultimately, capitalism must acknowledge this economy. Yet even without such recognition, the particular economy of capitalism inadvertently adheres to —or serves— the general “law” of expenditure<sup>541</sup>.

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<sup>532</sup> (Accursed Share I, p. 22)

<sup>533</sup> (ibid.)

<sup>534</sup> (cf. ibid.)

<sup>535</sup> (ibid. p. 24)

<sup>536</sup> (cf. Accursed Share II/III, p. 40)

<sup>537</sup> “The general movement of exudation (of waste) of living matter impels him [sic] and he cannot stop it; moreover, being at the summit, his sovereignty in the living world identifies him with this movement; it destines him, in a privileged way, to that glorious operation, to useless consumption. If he denies this [...], his denial does not alter the global movement of energy in the least” (Accursed Share I, p. 23).

<sup>538</sup> Patrick Ffrench deems this a spatial limitation (cf. Ffrench 2017, p. 35).

<sup>539</sup> (Accursed Share I, p. 24)

<sup>540</sup> (cf. ibid. p. 22). Bataille’s “Copernican transformation” involves reinterpreting the totalising reach of capitalism as a particular economic expression characterised by disregarding the general economy and the play of forces it entails (ibid. p. 25).

<sup>541</sup> (Accursed Share I, p. 33)

At this point, the aforementioned sovereign choice assumes a fundamental form: does one waste tragically or catastrophically? Since the excess of “life force” is the most perilous factor of ruination, congestion in this movement (understood by Bataille as abundant surplus) must be prevented: “relieving the blockage was always, if only in the darkest region of consciousness, the object of a feverish pursuit<sup>542</sup>”. The fever induced by this pursuit derives from the vanity Bataille ascribes to it: no matter how uselessly excess is wasted –through “admirable monuments” without “useful purpose”, through “services” making “life smoother”– it perpetually dooms “multitudes of human beings and great quantities of useful goods to the destruction of wars”<sup>543</sup>.

This assessment can hardly be discounted. However, one should not forget that the sovereignty of this choice is still bound by Bataille’s observation: where everything is servile, nothing is sovereign<sup>544</sup>. To the extent that everything serves capitalism’s logic of ends, the choice remains servile. Moving beyond it would imply a certain synchronicity with the measurelessness of the general economy –the useless expenditure of the kosmos– as it relies on the acknowledgement that no end can be assigned to the endless<sup>545</sup>.

Bataille’s perspective becomes more elusive when addressing the necessity to choose alternative means, to find another outlet for the excessive that does not culminate in the catastrophic outbursts of war or the nihilist circularity of capitalism. In other words, Bataille deliberately maintains opacity regarding the expansion of sovereign choice(s). Aside from selecting an alternative outlet to dispel the accursed share, few options remain in the face of an exceptionally excessive ontological predicament. For Bataille, this has structural reasons: “[the] definition of being and of excess cannot repose upon a philosophical basis, excess surpassing any foundational basis<sup>546</sup>”.

Excess, unlike other structural elements, cannot serve as a provisional, foundational basis. The excessive proliferation of force suspends such an option<sup>547</sup>. Ultimately, this reflects Nietzsche’s argument: where the transient confrontation of disparate wills to power provides the only continuity, no lasting foundation can be

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<sup>542</sup> (Accursed Share I, p. 24)

<sup>543</sup> (ibid.)

<sup>544</sup> (cf. ibid. p. 9)

<sup>545</sup> “a play of energy that no particular end limits: the play of living matter in general” (ibid. p. 23).

<sup>546</sup> (Bataille 2012, p. 130)

<sup>547</sup> A force that, as Glissant would write, is its own turbulence (cf. Glissant 2021, p. 159).

established<sup>548</sup>. However, this assessment neglects Bataille's indirect recourse to another form of sovereignty which cannot operate without a foundation, as ephemeral as it may be. Despite his equation of sovereignty with nothingness, Bataille seeks a veritably sovereign opening where sovereignty is no longer subservient to utility.

The state of exaltation, presumably marking the exuberance of life, provides such openings through the registers of eroticism, "inner experience", and sacrifice, but not through reason<sup>549</sup>: "By definition, excess stands outside reason"<sup>550</sup>. The same excess that marks the limits of capitalism also delineates a certain unreasonable discharge, which is accessible through "excess, not through lack"<sup>551</sup>. Before turning to Bataille's ontological suspension, I briefly address these alternative discharges or outlets. Ultimately, they offer only a restricted alternative: "Erotic activity [...] illustrates a principle of human behaviour in the clearest way: what we want is what uses up our strength and our resources and, if necessary, places our life in danger"<sup>552</sup>.

Through erotic activity, which, among other aspects, transcends mere reproduction, beings potentially partake in the "squandering of living energy"<sup>553</sup>. In other words, eroticism offers a partial alignment with Bataille's understanding of the general economy, as it represents an element that cannot be reduced to work or utility. This share of sexual exuberance "prevents us from being reduced to mere things"<sup>554</sup>. Without recapitulating Bataille's conception of a negative (or discontinuous) community of lovers, unified by the prospect of death, eroticism provides a moment of continuity—which I previously suggested as a synchronicity with the general economy, or a sovereign moment conceived within the state of exaltation.

In the face of catastrophic expenditure or an "inevitable explosion", eroticism might not provide the expected sovereign reprieve<sup>555</sup>. At least not one that allows for a decision that eases capitalism's amassing of surplus and prevents catastrophe. A similar insufficiency may be found in what Bataille terms "inner experience" which also

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<sup>548</sup> (cf. Nietzsche 2006, p. 15)

<sup>549</sup> (cf. Inner Experience, p. 57)

<sup>550</sup> (Eroticism, p. 168)

<sup>551</sup> (Inner Experience, p. 28)

<sup>552</sup> (Accursed Share II/III, p. 104)

<sup>553</sup> (Eroticism, p. 61)

<sup>554</sup> This is another of Bataille's inversions, it is not animal "nature" but human nature that objectifies us: "Human nature [...] geared to specific ends in work, tends to make things of us at the expense of our sexual exuberance." (ibid. p. 158).

<sup>555</sup> (Accursed Share I, p. 24)

“confers [...] a sense of continuity”<sup>556</sup>. While these two “distinct forms of love”, are not reducible to one another, they both share a disregard for growth or utility<sup>557</sup>.

Bataille’s notion of inner experience allows for a suppression of both the subject and the object of thought. This offers an ecstatic reprieve from the particular economy of use that reduces everything to servility, diminishing it to the status of an object in a perpetual correlation of utility. Bataille refers to this experience by various designations, one of which is non-knowledge<sup>558</sup>. As this kind of experience moves beyond the object of thought, Bataille refrains from speaking of knowledge, instead highlighting the communication of ecstasy<sup>559</sup>.

The move beyond both the subject –which first needs to unlearn the desire of knowing– and the object of thought is the only movement that prevents “the absurd rush of the ipse wanting to become everything”<sup>560</sup>. An ipse, or self, that rushes to become everything –or rather, that always already has the impression of being everything– offers a provisional definition (beyond political economy) of what Bataille perceives as servile sovereignty. Eroticism and “inner experience” presumably enable an understanding of the insufficiency of such an ipse<sup>561</sup>. Nevertheless, the individual attempt to prevent a being from serving in a regime of utility does not yet address Bataille’s search for a less catastrophic way of dealing with the destructive logic of production. Despite this shortcoming, it provides clues regarding Bataille’s perception of being and the insufficiency of attempting to perceive it in isolation.

Through the impossibility of an integer ipse, an opening to the communal emerges: “my being is never myself alone; it is always myself and my fellow beings.”<sup>562</sup>. This opening, likened to a communicative wound or laceration, establishes a plurality

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<sup>556</sup> “By inner experience, I understand what one usually calls mystical experience: states of ecstasy, of rapture, at least of meditated emotion.” (Inner Experience, p. 9).

<sup>557</sup> “It is certain that the mystics exhaust in their effusions all the energy that sustains them, and that is brought to them through the labour of others. Their asceticism cannot be considered a modality of growth: it is a special form of consumption, in which an acquisition reduced to nothing gives [...] a sense of extremity.” (Accursed Share II/III, p. 170).

<sup>558</sup> None of these designations shall evoke associations with “discursive thought” (Inner Experience, p. 57f)

<sup>559</sup> “NON-KNOWLEDGE COMMUNICATES ECSTASY.” (ibid. p. 57). The ecstasy communicated by Bataille’s inner experience is related to, but not synonymous with, the communal characteristics of sex and death: “There seems to exist a domain where death signifies not only decrease and disappearance, but the unbearable process by which we disappear despite ourselves and everything we can do, even though, at all costs, we must not disappear. It is precisely this despite ourselves, this at all costs which distinguish the moment of extreme joy and of indescribable but miraculous ecstasy.” (Bataille 2012, p. 126). According to Bataille, we must, despite ourselves, move beyond both the self and any object(ification) of knowledge.

<sup>560</sup> (Inner Experience, p. 57)

<sup>561</sup> (ibid.)

<sup>562</sup> (Accursed Share, II/III, p. 253)



of being(s) that is sometimes interpreted as non-sovereign potential<sup>563</sup>. I have already established my distance from such non-sovereign readings, as they neglect Bataille's desire for a less catastrophic way of dealing with the accursed share, and the concomitant necessity of communally deciding –through the shared recourse to 'useless' sovereignty– on another direction. Ultimately, pervasive ontological excess confronts both singular and plural beings –the singular plural being, as Nancy would describe it– with the realisation of sovereignty's futility and the need for an alternative sovereign discharge<sup>564</sup>. As I will develop below, the impossibility of self-enclosure results in contingent, negative assemblies or ensembles<sup>565</sup>.

### III. Disassembly, Heterogeneous Suspension

The negativity of Bataille's community lies in the shared predicament of finitude. The fear that death induces opens being to a "plenum" of possibilities<sup>566</sup>. Some of these possibilities include the threat of catastrophic detonations, war, and hostility. When it comes to identifying less destructive outlets for the general play of forces or energy, Bataille, as I have outlined, exhibits less diligence<sup>567</sup>. Nevertheless, he seeks a sovereign realm that does not serve the logic of destruction. While I have yet to comprehensively address his ontological hubris –which promises reprieve within the dysfunctional economy of growth– Bataille provides a compelling definition of ontological suspension. This *suspension*, I propose, does not exactly suspend foundations, but rather *poses excess as an ephemeral void that provisionally grounds or assembles* beings:

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<sup>563</sup> (cf. Inner Experience, p. 111). "[...] insufficiency is an opening to the world, a surface of contact [...] where one's being spills outside itself." (Mitchell/Winfrey 2009, p. 5). "Such an inoperative mode of communication refuses the bio- and necropolitical killing machine operating around the globe from the standpoint of ethical and literary-aesthetic practices of freedom, resistance, and insurgency." (Krimper 2021, p. 37). Nancy partially opposes this assessment: "ecstasy comes at a price: at the risk of being nothing more than an erotic or fascist work of death, ecstasy passes through the inscription of finitude and its communication [...] what is shared is the unworking of works." (Nancy 1991a, p. 39).

<sup>564</sup> "The plurality of beings is at the foundation [fondment] of Being. A single being is a contradiction in terms. Such a being, which would be its own foundation, origin, and intimacy, would be incapable of Being" (cf. Nancy 2000a, p. 12). "I am trying to indicate, at its limit [...] an experience that makes us be." (ibid. p. 26).

<sup>565</sup> "Community necessarily takes place in what Blanchot has called 'unworking', referring to that which, before or beyond the work, withdraws from the work, and which, no longer either having to do with production or with completion, encounters interruption, fragmentation, suspension." (ibid. p. 31).

<sup>566</sup> (Accursed Share II/III, p. 101)

<sup>567</sup> "[...] what I have personally done is not to prolong an extreme situation but generally to have substituted for a search conceived as a given possibility, a search conceived from the outset as impossible" (Inner Experience, p. 284).

a feeling of danger [...] places us before a nauseating void. A void in the face of which our being is a plenum, threatened with losing its plenitude, both desiring and fearing to lose it. As if the consciousness of plenitude demanded a state of uncertainty, of *suspension*. As if being itself were this exploration of all possibility, always going to the extreme and always hazardous<sup>568</sup>.

Finitude induces fear. The exploration of this anxiety does not stop short of the feared object<sup>569</sup>. While death may be impossible to apprehend, it nevertheless remains the common denominator of existence. For beings, death is the only limitation and continuity within a spatial plenum that is otherwise infinitely divisible or discontinuous, as Bataille notes elsewhere<sup>570</sup>. The consciousness of this infinite “plenitude” requires a state “of uncertainty, of suspension”<sup>571</sup>. Existence itself, as Bataille adds, is the exploration of these plentiful possibilities. This spatial plenum, as cosmic existence at large, is marked by a play of forces<sup>572</sup>. Apart from death and the (dis-)continuity of energy, there is no shared ground. The *suspension* –successful or not– *entails* nothing but an *unconcealment of finitude*<sup>573</sup>.

Bataille does not discount transient ensembles<sup>574</sup>: “In a general way, every isolable element of the universe always appears as a particle susceptible of entering into the composition in an ensemble that transcends it<sup>575</sup>”. Beings are always bound to compose an ensemble that transcends their isolation. Nevertheless, the consciousness of this plenitude, the susceptibility of entering into an ensemble, represents one option among others in a “plenium” of possibilities<sup>576</sup>. Bataille maintains Nietzsche’s “will to autonomy”, which initially precludes the option of an uncertain or suspensional whole:

The uncertain opposition of autonomy to transcendence puts being in a position that slips: at the same time that it encloses itself in autonomy, for this very reason, each being, ipse, wants to become the whole of transcendence [...]. Its

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<sup>568</sup> (Accursed Share II/III, p. 101 [my emphasis])

<sup>569</sup> Here, Bataille is closer to Heidegger’s concept of anxiety –and to his notion of *Entschlossenheit*– than he otherwise seeks to acknowledge (cf. *Inner Experience*, p. 31; 111).

<sup>570</sup> (cf. *Eroticism*, p. 13)

<sup>571</sup> (Accursed Share II/III, p. 101)

<sup>572</sup> (cf. *Accursed Share I*, p. 23)

<sup>573</sup> For me, it is the disintegration of the suspension, the failure of its homogenising capacity that unconceals finitude. I will later term this *dispersal*.

<sup>574</sup> An ensemble seems to imply more than a mere assembly, emphasising resemblances, similarities.

<sup>575</sup> (*Inner Experience*, p. 87f). We are these particles, a human being: “IS A PARTICLE INSERTED INTO UNSTABLE AND TANGLED ENSEMBLES.” (ibid. p. 87).

<sup>576</sup> (Accursed Share II/III, p. 101)

will to autonomy opposes it at first to the ensemble, but it withers –is reduced to nothing– to the extent that it refuses to enter into it<sup>577</sup>.

Eventually, the refusal of the ensemble proves useless, reducing the autonomous will to nothing. Assessed this way, sovereignty is a will to autonomy that rejects the vanity of attempting to encompass the entirety of transcendence<sup>578</sup>. The useless sovereign is destined to wither. However, Bataille acknowledges the utility of such uselessness. After all, it allows him to develop a critique of political economy and to establish an axiom of relationality that is always uncertain, a slippage. This communication, understood ontologically, prevents self-enclosure:

Groups composed of numerous simple particles alone possess this *heterogenous* character that differentiates me from you and isolates our differences in the rest of the universe. What one calls a 'being' is never simple [...] it is undermined by its profound inner division, it remains poorly closed<sup>579</sup>.

Being's poor self-enclosure prompts it to compose itself in an ensemble. In fact, refusing such a composition is not a viable option. If the "consciousness of plentitude" compels the will to autonomy to persist in the futile attempt of being a useless sovereign, it reduces itself to nothing. Without acknowledging the ensemble, autonomy becomes meaningless. Bataille has provided all the coordinates needed to assess his notion of ontological sovereignty and suspension. Let me briefly contrast these with discussions from my previous chapters.

With Heidegger, sovereignty describes the inevitable prevalence of physis or Being, engulfing existence. This prevalence cannot be overcome, but it remains for decisive, resolute (*entschlossene*) individuals to oppose the sway of physis with their own projections (*Entwürfe*) of existence. In this way, the ontic individual has an ontological, sovereign reach that allows for a thought of difference<sup>580</sup>. As Walten suggests, this difference is constrained by the ontic-ontological privilege, meaning that

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<sup>577</sup> (Inner Experience, p. 88)

<sup>578</sup> Or refuses to accept that it is not always already everything.

<sup>579</sup> (Inner Experience, p. 96 [my emphasis])

<sup>580</sup> Obviously, Heidegger's being does not move beyond Being, but it can potentially readjust the existential horizon within the confines of finitude. This is at least suggested by Heidegger's desire to move beyond *Seinsvergessenheit*.

the capacity to question Being in the light of existence rests only with certain, particularly decisive, individuals<sup>581</sup>.

For Schmitt, no ontological transformation is imaginable. There are ontological predicaments, but these are immovable. He is concerned with enmity as the decisive ontological modus. Different ontic responses are opportune, but only one response secures the existential continuity of political units. The modality of Schmitt's political kosmos is therefore homogenising hostility, which can always resort to the exceptional suspension –its principal sovereign moment– to remind beings of the existential need for a decisive political form. For Schmitt, ontological sovereignty is thus out of reach, but the suspensional capacity of the sovereign at least allows for the acknowledgement of the imperative it bespeaks.

Now, Bataille's ontological sovereign is an excessive kosmos. Ignorance of this modus of existence results in catastrophe, as seen in capitalism's tendency to squander surplus through war. Once the threshold of growth is reached, the accursed share needs to be dispelled, one way or another. However, Bataille acknowledges differing possibilities. To outline these, he, like Schmitt, has recourse to a notion of suspension.

In the face of ontological excess, suspension and vertigo are inevitable results<sup>582</sup>. The multitude of possibilities, perceived by Bataille as a plenum, prompts beings to recognise their fundamental ontological predicament: beings are never simple; their complexity only becoming legible in an excessive ensemble of finite existences. Here, within the horizon of finitude, beings must confront the larger play of forces that engulfs them. Only such communal confrontation may permit less violent expenditure:

The forces that work to destroy us find in us such happy –and sometimes violent– complicities that we cannot simply turn ourselves away from them as interest would lead us to do. We are driven to do the 'work of the fire'<sup>583</sup>.

Bataille's state of exaltation presents the explosive potential of communal compression while simultaneously marking the suspensional capacity that might enable beings to reject recourse to destruction. How does suspension operate in this context? Drawing

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<sup>581</sup> These are the ones who oppose an "overwhelming sway" by the "counterweight of their work" (Introduction, p. 65).

<sup>582</sup> Excess induces suspension and vertigo (cf. Ffrench 2017, p. 45).

<sup>583</sup> (Inner Experience, p. 99)

an analogy to physical thought –though this is deficient considering Bataille’s conviction about the insufficiency of “science” or “knowledge”– suspension describes a transient ensemble<sup>584</sup>. This ensemble gathers disparate or discontinuous elements in a temporary unit, requiring continuous force to prevent disintegration. A suspension engulfs different particles in a whole that does not unify their perspectives.

For Schmitt, suspension acts as the great perspectival unifier, homogenising otherwise disparate political perspectives. In contrast, Bataille emphasises the heterogeneity of suspension<sup>585</sup>. Schmitt insists on internal homogeneity, which presumably derives its consistency in contrast with the heterogeneous outside. He abhors liberalism for its tendency to perceive all perspectives as unifiable, provided an ‘offer’ is attractive enough. Bataille’s ontological assessment of being renders such unification, whether internal or external, futile.

Prompted by incompleteness or poor self-enclosure, beings inevitably form ensembles that (dis)assemble around contingent demands. A community, no matter how precarious, is heterogeneous and cannot construct its political identity through comparison with other ensembles. For Bataille, enmity is no major modality for political form. Nevertheless, Bataille does not deny the necessity of sovereign force, which provides provisional unification for an otherwise uncontrollable plenitude of energy. An ontic sovereign is necessary, however useless, but this sovereign can –and in fact must– be collective: Beings are never simple<sup>586</sup>.

One can think of turbid water, where every isolable particle is dispersed throughout a fluid without dissolving into it. The “composition” ephemerally transcends

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<sup>584</sup> Bataille was sure to mark the insufficiency of science which inevitably reduces the questioned to an object of utility (cf. *Accursed Share II/III*, p. 112). “To know means: to relate to the known, to grasp that an unknown thing is the same as another known thing. This assumes either a solid ground upon which everything rests (Descartes) or the circularity of knowledge (Hegel).” (*Inner Experience*, p. 110).

<sup>585</sup> The suspension lends itself to both interpretations. Schmitt sees it as a transient homogeneity that must be continuously perpetuated through a sovereign decision. For Schmitt, sovereignty is the force that prevents the suspension from sedimentation. Schmitt’s suspension emphasises the homogeneity of its turbid political medium. In other words, the suspension is preferable to the fragmentation of individual elements into their respective political differences. Schmitt views the disintegration of suspension as a liberal threat, where private hostilities (which he doesn’t consider genuine hostilities) undermine political unification and the need for a common enemy. In contrast, Bataille’s transient suspensional ensembles do not unify or homogenise. While they negatively acknowledge the necessity of sovereign force –here I diverge from interpretations that perceive Bataille as a thinker of the non-sovereign– they accept existential excess as a basic ontological predicament. Where excess cannot be restrained, unification is ephemeral. Nonetheless, it is needed to resist the most catastrophic forms of expenditure. Schmitt, on the other hand, is convinced that the excessive merely requires a more forceful sovereign order and more authoritative political unity. Schmitt’s sovereignty dictates a homogeneous political vision, whereas Bataille’s sovereignty redirects a heterogeneous play of energy.

<sup>586</sup> (cf. *Inner Experience*, p. 96)

isolation<sup>587</sup>. However, the continuity of such an ensemble requires agitation, emulsion, or, closer to Bataille, force. Otherwise, the particles are bound to settle or return to isolation<sup>588</sup>. Beings are parts of such unstable ensembles<sup>589</sup>. Although Bataille does not use this analogy, it helps illustrate the precarious, homeotic communities that beings form<sup>590</sup>. For Bataille, these uncertain communities, units, political ensembles, or gatherings do not emerge without a force that provisionally engulfs them in their suspensional or differential complexity<sup>591</sup>.

To be precise, isolation would not imply that beings fragment or sediment into an atomistic ipse— an ontologically constitutive lack of self-enclosure prevents them from doing so<sup>592</sup>. Yet, without suspensional unity, the play of forces cannot be redirected. I conceive this force as ontological sovereignty, a conception I will further specify in the ensuing chapter. In the context of Bataille, this sovereignty serves a transient purpose, facilitating less violent expenditure by offering alternative means of disposing of the accursed share. Simultaneously, as with Heidegger, this sovereignty will not unsettle the modus of excess, as being cannot master Being but can only address it as an open-ended question.

Yet, Bataille insists that servile sovereignty can never be truly sovereign and that there is use in such uselessness<sup>593</sup>. The utility of useless sovereignty lies in its forceful potential to envision and sustain communities in suspension. In these states of exaltation, a sovereign multitude can potentially undermine the catastrophic circularity of amassed surplus that needs to be wasted— tragically or catastrophically. Bataille is not the theorist of the non-sovereign but envisions another kind of sovereignty<sup>594</sup>. Nor does he deny the transient need for communal grounding, however treacherous that ground may be. Unlike Schmitt, who attempts to theorise a solid

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<sup>587</sup> (Inner Experience, p 87f)

<sup>588</sup> (ibid.)

<sup>589</sup> (cf. ibid.)

<sup>590</sup> To circumvent the sovereign modality of ontological suspension —and thus its associations with directionality and telos— it would be preferable to speak of political procedures of “enlikening” (cf. North 2021, p. 258f).

<sup>591</sup> As cited above: “Groups composed of numerous simple particles alone possess this heterogenous character that differentiates me from you and isolates our differences in the rest of the universe.” (Inner Experience, p. 96).

<sup>592</sup> (cf. ibid.)

<sup>593</sup> (cf. Accursed Share II/III, p. 16)

<sup>594</sup> I am doubtful about the non-sovereign response proposed in some interpretations: “What they alert us to [Bataille among other thinkers of *désœuvrement*] is the demand to not only abolish sovereignty, but to dwell in the unemployed and amorphous negativity, matter, energy, force, or potential out of which it is generated, so as to affirm nonsovereign forms of common life prefaced on shared finite existence.” (Krimper 2021, p. 51).

foundation, Bataille characterises the vanity of sovereign stability. Bataille's ground is fluid, and while a fluid ground might seem tautological, it redirects sovereign authority which is inevitably tautological (a fundament that grounds itself)<sup>595</sup>.

Bataille's suspension provisionally engulfs a momentum of forces which, as in the example of the will to autonomy, might otherwise run astray. This sovereignty does not imply a physiocratic intervention in a kosmos of energy. Bataille acknowledges that excess prevents any foundational basis, and his suspension only illustrates the ephemeral potential of a finite ensemble<sup>596</sup>. In stark contrast to Schmitt's formalism, which permits only one static outline, Bataille's ensemble needs to reinvent "sovereign values" and conceive a "sovereign form, which cannot serve any purpose"<sup>597</sup>. The minimal utility of ontological sovereignty –and this is denied by Bataille despite his Nietzscheanism– lies in its potential to prevent a suspension from dissolving.

Bataille thus establishes sovereign authority negatively: "the formation of power demands that one forego its use."<sup>598</sup> The uselessness of sovereign power requires a gesture of humility. However, this humility is not a non-utilitarian refusal of power but a different mode of employment. Unlike Schmitt's notion of (sovereign) power, Bataille's ontology of suspension does not imply the homogenising integration of forces into a unified plenum of perception. Instead, Bataille's ontological sovereignty demonstrates how beings, as differential forces or particles, can form a transient unity without the restraint associated with integration<sup>599</sup>.

As beings are inevitably abandoned to excessive force, the fundamental existential question becomes how to respond to this state of excessive abandon<sup>600</sup>.

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<sup>595</sup> Bataille establishes relationality as an ontological axiom. However, as Schmitt demonstrates, this does not preclude resorting to a bellicose form of relationality. Assessed through Bataille, Schmitt's failure lies in his association of sovereignty with order. Sovereignty is nothing but communal vertigo or excess, required for transient political desires.

<sup>596</sup> (Bataille 2012, p. 130)

<sup>597</sup> (Accursed Share II/III, p. 16)

<sup>598</sup> (Accursed Share, p. 89). Considerable attention has been drawn to Bataille's peculiar notion of "unemployed negativity" (*négativité sans emploi*), a term he mentioned in a letter to Alexandre Kojève. This concept marks Bataille's complicated relationship with Hegel. More than a commentary on dialectics, the notion of a form of negativity that resists being subsumed back into the dialectical process also informs Bataille's critique of sovereignty. It expresses his distaste for servile sovereignty through a more metaphysical register. Unemployed negativity stalls Hegel's conceptual work, which, for Hegel, is the work of philosophy itself (cf. Hegel 2014, p. 56ff). This does not result in a loss of negativity, understood as history. Rather, it leaves the negative to its own devices, removes it from Hegel's totalising movement. Thus, Bataille's notion of unemployed negativity suggests an alternate realm of (post-)metaphysical activity that disrupts the smooth progression from potential to actualisation.

<sup>599</sup> (cf. Winfree 2009, p. 39); (cf. North 2021, p. 280f)

<sup>600</sup> This is the parallelism that Nancy establishes between Bataille and Heidegger (cf. Nancy 1991, p. 18). In many ways, Nancy's *Being Singular Plural* echoes Bataille's insistence on analysing a notion of communal existence. However, he would refuse the ontological isolation from which Bataille attempts

Nevertheless, Bataille insists that excess is the exception, not the rule<sup>601</sup>. The (sovereign) response to the excessive proliferation of forces –whether it generalises the exception or not– lies in the transient recourse to suspension. This contingent containment potentially redirects destructive force<sup>602</sup>. While this redirection does not put an end to the excessive, it potentially permits a less violent state of exaltation. Since the excess of life force presents the greatest threat of ruination, it must be redirected.

The ontology of suspension, through its recourse to ontological sovereignty, has to respond to the most pressing choice: how to dispel the accursed share<sup>603</sup>. However, Bataille’s alternative outlets are not intended to curtail the excessive, but rather to acknowledge a play of energy that cannot be lastingly undermined. The state of exaltation, Bataille’s community in suspense, refuses to curtail the play of forces. Only through this refusal can catastrophic outbursts be prevented. On a less ontological terrain, this implies a controlled or measured form of release that dispels excess<sup>604</sup>. Bataille’s critique of political economy calls for an acknowledgment of sacrifice, as this presumably allows for a less destructive redirection of force.

To conclude, I argue for reading Bataille’s notion of sacrifice as an ontological hubris despite their terminological difference. Bataille defines sacrifice as “nothing other than the production of sacred things.”<sup>605</sup> Similarly, hubris participates in the sacrificial order and consecrates the ordering principles. Aligning with Benjamin’s understanding of hubris (as part of mythical violence), I assess hubris as a claim to authority, which, through this claim, acknowledges the legitimacy of political authority<sup>606</sup>. In other words, hubristic acts do not move beyond the sovereign order they seek to replace. Hubris thus demonstrates how Bataille attempts to bring

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to construct the communal. For Nancy, such isolation is ontologically impossible. The individual particle, entering into transient assemblies, is never individual: “The plurality of beings is at the foundation [fondment] of Being.” (Nancy 2000a, p. 12). “[F]irst philosophy must recommence [...] with a thorough resolve that starts from the plural singular of origins, from being-with.” (ibid. p. 26). “The togetherness of singulars is singularity ‘itself’. It ‘assembles’ them insofar as it spaces them; they are ‘linked’ insofar as they are not unified.” (ibid. p. 33). “To-be-with is to make sense mutually, and only mutually.” (ibid. p. 83). Ultimately, Nancy expresses frustration when it comes to Bataille’s politics: “Bataille had not made it possible for me to touch on a new and unprecedented politics. On the contrary, in many respects he had made political possibility as such even more remote.” (Nancy 2009, p. 21).

<sup>601</sup> (cf. Bataille 2012, p. 130)

<sup>602</sup> (cf. Accursed Share II/III, p. 113)

<sup>603</sup> (cf. Accursed Share I, p. 23)

<sup>604</sup> (cf. ibid. p. 21)

<sup>605</sup> (Bataille 1985, p. 119)

<sup>606</sup> (cf. Benjamin 1991b, p. 197)



“measure into a movement” that otherwise calls for “measurelessness”<sup>607</sup>. As a result, he abandons the non-sovereign choice, modifying rather than transforming the logic of sovereignty.

#### IV. Ontological Hubris

The specific treatment or discharge of the accursed share implies both a realm of sovereign authority and the potential to prevent catastrophe: “Life beyond utility is the domain of sovereignty.”<sup>608</sup> Bataille arrives at this conclusion through his analysis of historic sovereign constellations, where the object of the sovereign decision always concerns the treatment of surplus. This is why sovereignty lies beyond utility— it concerns an excess share that cannot simply return to the circularity of accumulation<sup>609</sup>.

Above, I mentioned the extent to which Bataille’s reading of the political economy resorts to war as a primary example of catastrophic outbursts. The catastrophe derives from the horrendously simple fact that surplus energy needs to be spent in one way or another. Some forms of this spending are obviously less violent than others:

In the universe as a whole, energy is available without limit, but on the human scale, which is ours, we are led to take account of the quantity of energy we have at our disposal. We do this spontaneously, but in return we should recognise the need to consider another fact: we have quantities of energy that we are obliged to spend in any case. We can always dry up its source; we should only have to work less and be idle, at least in part. But then leisure is one way among others of squandering –of destroying– the surplus energy<sup>610</sup>.

Bataille’s earlier example posits that, akin to rays of sunlight used for idle sunbathing rather than being harnessed as a source of energy, there are means of squandering

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<sup>607</sup> (Accursed Share II/III, p. 108). Bataille illustrates the intimate connection between measure and the measureless through the example of champagne: “Champagne is drunk on certain occasions, where, according to the rule, it is offered [...], [it is a] good that, in response to a deep expectation, ‘must’ or ‘should’ flow abundantly, in fact without measure.” (ibid. p. 40). The consumption belongs, or is restricted, to the measure of festive or ceremonial life. Despite Bataille’s conviction, it marks the intimate connection between excess and utility (here, the “use” of festivity): “champagne, itself animated by the movement of general exuberance and clearly symbolic for an overflowing energy.” (ibid. p. 41).

<sup>608</sup> (ibid. p. 198)

<sup>609</sup> What Bataille discounts is that there lies a non-utilitarian utility in this useless discharge. This is why sacrifice, despite Bataille’s fascination, is an insufficient topos. Sacrifice is a pledge for continuity.

<sup>610</sup> (ibid. p. 187)

that are less destructive. The primary ontological modus cannot be altered –this is where Heidegger’s tentative suggestion of ontological transformation moves beyond both Bataille and Schmitt– as the kosmos relies on a solar economy that gives without return, beyond the need for growth. This is where readings of Bataille often isolate a notion of unemployed negativity as a means to express political potential beyond reintegration into a destructive economy; i.e., as a means to occupy the system without becoming an element of its destructive totality<sup>611</sup>. However, as I argued, Bataille’s theorising of the excess share, and the negative agency it summons, occupies a concrete position in his critique of the (non-)sovereign economy.

It is questionable whether Bataille provides a less violent means to discharge excess. According to him, working “less and be[ing] idle” and the leisure it promises might be such an outlet<sup>612</sup>. While this proposal may hold little political merit, my focus remains on Bataille’s recourse to a sacrificial logic. The authority of a (sovereign) decision is required, idle or not<sup>613</sup>:

A surplus of resources, which societies have constantly at their disposal at certain points, at certain times, cannot be the object of a complete appropriation (it cannot be usefully employed; it cannot be employed for the growth of the productive forces)<sup>614</sup>.

This decision always concerns measured compliance in a procedural horizon of excess or the measureless. Thus, the state of exaltation incites hubristic resistance in which the attempt to stall the excessive economy is necessarily futile. This hubris is a sovereign claim to authority, which, despite its futility, might provide less catastrophic

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<sup>611</sup> This is because Bataille, like Agamben, challenges one pole of the traditional metaphysical dichotomy that sovereignty is presumed to bridge. In Aristotle’s *Metaphysics*, *energeia* (actuality) and *dynamis* (potential) are used to describe states of transition. For Aristotle, the shift from the formal cause (the arrangement that makes something recognisable) to the final cause (the thing itself) is assessed through a transition from *dynamis* to *energeia*. Removed from Aristotle’s context of causes and applied to his assessment of the soul, this process –termed *entelechy*– describes the complete and self-sufficient, realisation of an identity. While Aristotle does not speak of sovereignty, the successful achievement of this transition is taken to represent a sovereign act (cf. Aristoteles 1986, 212b). Agamben has exhaustively analysed the sovereign privilege of actuality. He conceives of non-sovereign potential through an activity that prevents potential from transitioning into the actual. The actual is always bound to be consumed, dictated, and posited by sovereign power. As a result, *dynamis* and *energeia* need to be divested (cf. Agamben 2017, p. 42; 1217ff).

<sup>612</sup> (Accursed Share II/III, p. 187)

<sup>613</sup> An idle decision would mock both Heidegger’s emphasis on a resolute projection (*Entwurf*) of existence, and Schmitt’s insistence on the existential purview of the decision, determining survival.

<sup>614</sup> (Accursed Share I, p. 72). Bataille notes this to analyse “rank”: “what is appropriated in the squander is the prestige it gives to the squanderer (whether an individual or a group), which is acquired by him [sic] as a possession and which determines his rank” (ibid.).

reprieve. Bataille does not speak of a hubris; instead, he traces the function of sacrifice in the historic sovereign formations he identifies: “Neither the share that it is necessary to sacrifice, nor the moment of sacrifice are ever given exactly”<sup>615</sup>. I have chosen to speak of hubris, as it elucidates the excessive conformity, or destructive Apologie, of Bataille’s sacrificial logic<sup>616</sup>. His fascination with the sacrificial act derives both from the emphasis on a plane of immanence where otherwise discontinuous beings share a moment of continuity, and from the conviction that such acts presumably allow for a less violent means of expenditure<sup>617</sup>.

In Bataille’s thought, sacrifice and hubris, I argue, perform the same function within a (non-)sovereign economy, both involving the wastage or discharge of an excess share. The conceptual difference implies a perspectival shift. From the viewpoint of the particular economy (Bataille’s term for an economy that resists acknowledging the play of forces that engulfs existence at large, i.e., the general economy), sacrifice is an act of hubris, where surplus is wasted hyperbolically. Non-hubristic sacrifice acknowledges the play of forces and accepts that the continuity of this dynamic requires surplus to be dispelled. In this logic, capitalism’s circularity is hubristic, failing to understand that the accursed share requires regularised spending, lest periods of catastrophic discharge ensue. Conversely, for the logic of the particular economy, sacrifice is hubristic, wasting what could otherwise fuel further accumulation. Regardless of the perspective, Bataille’s hubris is ontological, concerning the (dis)order of being and the need to address and respond to a state of exaltation.

Part 2 of *The Accursed Share*’s Volume I studies “historical data”, analysing how concrete historical formations responded to the general economy, to kosmic excess<sup>618</sup>. Bataille’s affirmative reading of sacrifice derives from the presumably non-utilitarian potential of such rituals. These moments not only dispel the accursed share but also mark the finite continuity that otherwise discontinuous beings share<sup>619</sup>. For the purpose at hand, the accuracy of Bataille’s description of sacrificial rituals is largely irrelevant. I

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<sup>615</sup> (Accursed Share II/III, p. 182)

<sup>616</sup> Benjamin’s *Kritik der Gewalt* suggests how the hubristic act remains indebted to the violence it seeks to challenge, thus failing to move beyond it (cf. Benjamin 1991b, p. 197).

<sup>617</sup> This would be the ‘true’ plane of sovereignty where the object and the subject of sovereignty are not separated. Here, Bataille’s analysis of eroticism, inner experience, and sovereignty align (cf. Accursed Share II/III, p. 113).

<sup>618</sup> (Accursed Share I, p. 58)

<sup>619</sup> (cf. *ibid.* p. 56)

am concerned with the destructive tendency that this hubris entails<sup>620</sup>. Violence is inevitable, but it is violence of a different kind:

Sacrifice destroys that which it consecrates. It does not have to destroy as fire does; only the tie that connected the offering to the world of profitable activity is severed, but this separation has the sense of a definitive consumption; the consecrated offering cannot be restored to the real order. This principle opens the way to passionate release; it liberates violence while marking off the domain in which violence reigns absolutely<sup>621</sup>.

Bataille seems to appreciate the movement that exempts the “consecrated offering” from being reintroduced into the domain of “profitable activity”<sup>622</sup>. This consumption releases the accursed share. However, such violent release is merely a tribute to the domain where an absolute reign of violence dominates. This is why I perceive the sacrificial transgression that Bataille conceives as hubristic. While it attempts to challenge sovereign authority, it inevitably acknowledges a larger ontological dynamic that Bataille never denies; in fact, he notes the vanity of such denial. As the larger play of forces cannot be unsettled, Bataille theorises resistances against certain expressions of this destruction (capitalism, war) while simultaneously acknowledging the vanity of resisting a dynamic of excess.

Within the state of exaltation, hubris is bound to result in a fall. This hubristic entanglement limits sovereign choice(s) and bears a certain affinity with a generalised state of exception, where attempts to bring “measure into a movement” that calls for “measurlessness” will inevitably fail<sup>623</sup>. Bataille’s notion of sacrifice, while presumably marking compliance with the general economy, opposes excessive expenditure with controlled outbursts. His sovereignty proceeds “from a limitless prodigality” but introduces measure into a state of exaltation<sup>624</sup>. In Nancy’s words, hubris is a measurable excess<sup>625</sup>.

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<sup>620</sup> Sometimes, Bataille expresses doubts concerning sacrifice: “If self-consciousness is essentially the full possession of intimacy, we must return to the fact that all possession of intimacy leads to a deception. A sacrifice can only posit a sacred thing. The sacred thing externalises intimacy: It makes visible on the outside that which is really within.” (ibid. p. 189). He thus alludes to his notion of inner experience, rendering the task of deciphering his politics more obscure.

<sup>621</sup> (Accursed Share I, p. 58)

<sup>622</sup> (ibid.)

<sup>623</sup> (Accursed Share II/III, p. 108)

<sup>624</sup> (Inner Experience, p. 191)

<sup>625</sup> (cf. Nancy 2000c, p. 180). Bataille acknowledges the dynamism of immeasurable excess but asks for a minimum of idle measure: “I come to this position: inner experience is the opposite of action. Nothing more.” (Inner Experience, p. 51). Furthermore, Bataille’s hubris requires authority, but it is an

From the perspective of ontological suspension, both sacrifice and hubris are forces that express the desire to extricate the utilitarian object from “profitable activity”<sup>626</sup>. Once the sacrificial or hubristic forces dissipate, the corresponding efforts collapse. Bataille’s suspension allows for the provisional formation of precarious ensembles, which may or may not decide to redirect the excessive play of energy he theorised. Regardless of the sovereign choice, Bataille did not fully consider the suspensional force required to (dis)assemble ephemeral political communities. In the absence of such force, which is not entirely devoid of foundation, the “plenum of possibilities” –that is, existence at large– compels beings to undertake “the work of the fire”<sup>627</sup>.

Should the finite community fail to provisionally (dis)assemble and mobilise its suspensional capacity, the ensemble collapses and “the will to autonomy” runs astray<sup>628</sup>. This collapse does not equate to a dissipation of ontological sovereignty; instead, it returns authority to the political economy. However, Bataille might not necessarily oppose this return as he asserts that the “formation of power demands that one forego its use.”<sup>629</sup>. Within the vanity of hubris lies the power to sovereignly oppose the most destructive tendencies entailed by the state of exaltation.

Bataille, nevertheless, demonstrates that the temporary homogeneity produced by suspension ultimately serves only to signal the heterogeneity it is contingent on<sup>630</sup>. He does not provide a means to conceptualise this unifying or separating force other than through sovereignty. For him, the suspensional capacity of sovereignty is where its futile utility becomes significant. This is where less violence becomes a communal option. Once the suspension disintegrates into its comprising elements, complete fragmentation is not an option for Bataille. His relational or ontologically communicative being excludes solipsism. Lastly, Bataille insists that it is through the suspension that the prevalence of shared finitude becomes particularly apparent.

Bataille does not theorise formal association, a common medium, or a shared outline. His beings are already composed of differential elements, and they can only be existentially maintained when this difference is acknowledged. In this sense,

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authority that presumably expiates itself (ibid. p. 14; 58). “[...] il faut que ce qui est vivant expie son autorité” (Acéphale 1939, p. 2).

<sup>626</sup> (Accursed Share I, p. 58)

<sup>627</sup> (Accursed Share II/III, p. 101); (Inner Experience, p. 99)

<sup>628</sup> (ibid. p. 88)

<sup>629</sup> (Accursed Share I, p. 89)

<sup>630</sup> (cf. Inner Experience, p. 97)

Schmitt's logic is inverted: political unification is neither required nor desirable. It suffices to acknowledge shared finitude and the need for a less catastrophic rule of excess. Bataille's heteronomy is not the result of a political ensemble that defines itself in opposition to an opponent, but is instead an existential modality of political formation, prompted by the appreciation or rejection of a general economy.

There exists no "homogeneous medium" for Bataille, only an unstable foundation whose instability prompts suspensional association and dissociation<sup>631</sup>. This is why I consider Bataille's suspension to be hubristic; it inevitably acknowledges an ontological force that will not be modified, yet in this vanity lies the political capacity to envision another ontic political form.

This form, ensnared in a state of exaltation, fails to manifest without a notion of ontological sovereignty. The utility of the useless sovereign is to prevent total appropriation by a logic of expenditure. In the ensuing and final chapter, I will bring the readings of Heidegger, Schmitt, and Bataille together to develop how the notions of ontological sovereignty and the ontology of suspension, inferred from these thinkers, interact. Furthermore, I will question how this interaction might allow for a thought of the political that does not simply move beyond sovereignty by rejecting its tautologies.

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<sup>631</sup> (Dictatorship, p. 118); (Diktatur, p. 133f)

## 4. Ontological Sovereignty and the Ontology of Suspension

a certain unconditional renunciation of  
sovereignty is required a priori.  
Derrida, Rogues, Preface: Veni

to be born into the world is to be aware, to  
suffer, to feel the energy of this share, heavy  
to carry, stern to say.  
Glissant, Poetic Intention, Sun of Consciousness

For Husserl, the *epokhē* involves suspending the naïve belief that the world exists independently of our conscious engagement with it— an engagement Heidegger later conceptualises as *being-in-the-world*<sup>632</sup>. This suspension allows phenomenologists to focus on intentional acts without preconceptions regarding the worldly objects involved<sup>633</sup>. In political thought, however, such a suspension assumes different significance. The political *epokhē*, as drawn from Schmitt, requires agents to suspend belief in the existing world of norms, which presumably inhibits political cohesion<sup>634</sup>. Yet, according to Schmitt, this does not result in the suspension of normativity; rather, it facilitates the principal intentional act: the sovereign decision<sup>635</sup>. Politically considered, an ontology of suspension —understood in phenomenological terms as an epochal schema— relies on ontological sovereignty.

In more quotidian terms, a suspension temporarily unifies dispersed elements. To maintain this unity, a sustaining force is required. I contend that this force, integral for maintaining such unity, should be understood as sovereignty. An alternative to this unification could be conceptualised through the political thought of dispersal or turbidity<sup>636</sup>. However, these notions do not necessarily require abandoning the suspension; both dispersal and turbidity are its modalities. In other words, the same force that prevents a disintegration of unity also inhibits the establishment of an absolute foundation, which can be viewed as the ontological ideal of sovereignty<sup>637</sup>.

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<sup>632</sup> (cf. Sein/Zeit, §12)

<sup>633</sup> “Einklammerung”, bracketing. “Phänomenologische Reduktion“, phenomenological reduction (cf. Husserl 1913, §31; §56)

<sup>634</sup> Undermining the distinction between *physis* and *tékhne*.

<sup>635</sup> From a phenomenological perspective, Schmitt’s *epokhē* is perhaps insufficient— it anticipates and thus retains what it claims to suspend. The sovereign remains sovereign both prior to and following the suspension.

<sup>636</sup> What Glissant terms opacity (cf. Glissant 2021, p. 189).

<sup>637</sup> A ground that grounds itself.

A sovereign foundation, though ultimately unstable, grounds existential forms and projections (Entwürfe)<sup>638</sup>. Ontological sovereignty operates through an ontology of suspension that simultaneously suspends and solidifies shared meaning. This solidification, however –and this is the crucial aporia of sovereignty– is not lasting. Through sovereign suspension, contingent and unstable foundations for the communal, the political, and the social are continuously constructed. These tendencies can be distilled from Heidegger, Schmitt, and Bataille.

Their thoughts are symptomatic responses to the existential crises of their times. Confronted with the World Wars, fascism, and the disintegration of established structures of thought, each thinker addresses what they perceive as the intensification of ungovernable forces. In response, their thought seeks to impose measure in a movement of the “measureless”, govern the “sway of the overwhelming”, or confront the peril of political extinction<sup>639</sup>. These approaches, though not equally recognised as a ‘political’ task, underscore an assumed obligation to actively identify, and potentially alter, the violent forces that shape existence.

In Heidegger’s case, resistance to *Seinsvergessenheit*, or the oblivion of Being, takes ontological precedence. The failure to (re)position philosophy in the light of this forgetfulness marks a principal philosophical threat– the very demise of thought. For Schmitt, the enduring ontological telos is centred on the survival of the political, derived from a broader imperative to prioritise enmity<sup>640</sup>. Bataille thinks with ontological excess, arguing that attempts to curtail it are ultimately futile. Instead, he proposes a controlled release of excess as the only viable option to avert catastrophic consequences.

Despite their stark differences, they each question how beings must navigate a broader domain of forces that inevitably shapes their horizon. Heidegger provides the philosophical language for my reflections, while Schmitt and Bataille suggest divergent responses to a homogenising understanding of the political. Heidegger frames a form of sovereignty that operates ontologically, whereas Bataille and Schmitt conceptualise different forms of suspension as strategies to either employ or defer such sovereignty.

Heidegger’s *Walten*, coterminous with ontological difference, articulates how existence, as part of *physis*, is embedded within a conflictual domain of forces. He emphasises that mere existence –being– is insufficient for a comprehensive understanding of Being itself; the ‘mere’ fact of one’s existence does not per se grant

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<sup>638</sup> (Sein/Zeit, §53)

<sup>639</sup> (Accursed Share II/III, p. 108); (Introduction, p. 183); (cf. Begriff d. Politischen, p. 50)

<sup>640</sup> (cf. *ibid.* p. 200)



insight into existence as such. In his metaphysical lectures, Heidegger employs *Walten* both as a metonym for this difference and as a performative marker of existential conflict. Furthermore, *Walten* underscores the primacy of *physis* in defining one's own being. When considered alongside his notion of *Entschlossenheit* in *Sein und Zeit*, it becomes apparent that Heidegger's conceptualisation of difference is not without constraints. Only certain, particularly decisive beings possess the capacity to resist the violent sway of existence and propose alternative existential projections. While this could be interpreted as an autobiographical reference to Heidegger's own philosophical path, it subtly introduces a notion of ontological sovereignty— one that encompasses both definitional supremacy and the means to overcome it.

Schmitt is unable to conceive of a means of transcending the constraints imposed by his ontological sovereign. For Schmitt, ontological essences —enmity as the most prominent— are immutable and dictate an ontic obligation. In other words, Schmitt's political beings are compelled to submit to an ontological imperative that demands the existential assumption of enemies and allies, according to an unyielding formalism. His suspension illustrates how a sovereign decision perpetuates an ontic context without deconstructing or dismantling its ontological preconditions. Within this context, beings have to form homogeneous units to withstand Schmitt's negative anthropological vision. These units, in turn, require an ontic sovereign.

Lastly, Bataille occupies an intermediate position between Heidegger and Schmitt, suggesting a means of both ontic and ontological modification without fundamentally disrupting the broader ontological order. His beings are engulfed by a cosmic order of excess, and the only way to mitigate catastrophic expenditure is through the formation of heterogeneous communities. These ensembles, while still requiring the decision to dispel excess relatively peacefully, do not form a homogeneous medium as in Schmitt's framework. Instead, Bataille's thought allows for the possibility of envisioning an alternative sovereign form.

In this concluding chapter, I will summarise my interpretations and clarify the constitutive link between ontological sovereignty and the ontology of suspension. This clarification contributes to an understanding of political form and its dissolution. To do so, Section I contrasts Heidegger's, Bataille's, and Schmitt's perspectives on the relationship between individual existence and political coexistence. In ontological terms, this relates to how their respective ontological modes prompt ontic modalisation, and whether this modalisation unifies or disperses individuals within a political schema.

I take these thinkers' structures as different but related methods of existential consolidation. Heidegger outlines a setting where his principal ontological modus (Being) risks being occluded or forgotten. The task of beings is thus to confront, rather than ignore, Being. Here, Walten illustrates how the world prevails through every being, though only a few decisive individuals have the capacity to oppose this prevalence through resolute (self-)interpretation. A brief examination of Heidegger's 1942/1943 lecture on *Parmenides* clarifies that his political community consists of such decisive individuals, gathering around a shared interpretation of the Walten of Being. Schmitt, in contrast, highlights the existential necessity of resisting depoliticisation. In his view, this resistance can only be realised through sovereign communal forms, unified by their disunity with an enemy. Schmitt's suspension deformalises the rule of law when specific norms threaten to undermine the homogeneous hostility that sustains his sovereign forms. Bataille's suspension resists Schmitt's emphasis on homogeneity. His notion of ontological excess prompts beings to envision a heterogeneous communal response that mitigates the destructive potential of excess, allowing for less violent means of confronting it.

Section II analyses the notion of ontological sovereignty as an expression of ontological politics, which involves a confrontation over the meaning and purview of common existence. In this context, sovereignty operates as the dominant vector that guides such interpretations. Heidegger's philosophical language, particularly regarding *Entschlossenheit* (resoluteness) and his critique of metaphysics, defines ontological sovereignty as an existential setting that grounds beings while simultaneously preventing this grounding from becoming stable. Through readings of his 1950 work on *Language* and the 1957 lectures on *Identity and Difference*, I extend this interpretation to Heidegger's *Austrag* (resolution or disposition), which demonstrates how meaning solidifies within an existential setting. This indicates that ontological sovereignty can be perceived as a provisional structural and hermeneutical resolution. However, such an interpretation risks neglecting their contingency in favour of presumed stability. To illustrate this risk, the section concludes by comparing Heidegger's 1939 essay, *On the Essence and Concept of Φύσις in Aristotle's Physics B, I*, with a brief section from Schmitt's 1950 *The Nomos of the Earth*. This comparison shows how Heidegger suggests a realm of physis where self-moving beings confront the meaning of the world, whereas Schmitt constructs an originary link between physis and nomos, restricting the ontological potential that Heidegger's approach implies in

acts of interpretative consolidation. Such a comparison highlights the peril of ontological sovereignty, which dismisses its contingency in favour of cohesion.

Section III frames ontological sovereignty as a means to bestow meaning on a world without transcendental grounding. These constructions are inherently unstable, even while competing hegemonic projections assert sovereignty by disregarding this fragility. Suggesting Schmitt's exception as a suitable schema for theorising this dynamic, I interpret the suspension as a substitute for transcendental grounding, stabilising what would otherwise remain radically contingent. This suspension describes a political setting where contingency is replaced by resolute determination. To sustain suspension, persistent sovereign force is required. Simultaneously, this force, in maintaining this suspension, resists an absolute grounding. By perceiving political frameworks as a strategy for consolidating the prevalence of the world into a coherent narrative, I argue that, once ontic force dissipates, these narratives disintegrate. Schmitt, Heidegger, and Bataille each propose suspension to engage with the violent sway of the world. Schmitt employs suspension to justify sovereign authority, allowing for the creation of political unity from disunity. In contrast, Bataille envisions a suspension that confronts instability with the formation of heterogeneous communities to manage excess. These perspectives highlight the shared recognition of the role of suspension in confronting the instability of existence.

Section IV concludes this chapter by stressing that ontological sovereignty operates through suspension; a force that both disintegrates and consolidates shared meaning within a fragile framework. This suspension maintains stability not through unity but by dispersing difference, emphasising shared finitude. Dispersal allows for a critical departure from Schmitt's reliance on homogeneity and Heidegger's focus on gathering around a shared violent interpretation. In the collapse of suspension, previous frameworks disintegrate, yet communal being is exposed as an ontological starting point. Bataille's 'useless utility' of sovereignty exemplifies this dispersal, where finite existence persists without requiring force or hegemonic interpretations. Ultimately, the disintegration of ontological sovereignty exposes a shared grounding that prevails, even as sovereignty dissolves. My analysis thus serves as a propaedeutic to another thought of political existence— one that emphasises shared finitude without the necessity of a unifying force<sup>641</sup>.

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<sup>641</sup> I regard Nancy's thought as such an attempt; situating constitutive plurality within individual being, thus redefining the thought of the political: "The retreat of the political is the uncovering, the ontological

## I. Heidegger, Schmitt, Bataille; The Form(s) of the Political

In the following comparison, I will assess how Heidegger's, Schmitt's, and Bataille's notions of individual existence relate to communal existence. This relationship can also be questioned via the following terms: how does their ontological modus prompt ontic modalisation— how do their notions of existence give rise to individual and collective being? Does this require a specific political form? In the subsequent sections, this comparison will serve to concretise my notions of *ontological sovereignty* and the *ontology of suspension*.

Heidegger's existential analysis emphasises radical finitude. The *essentia* of Dasein lies in existence— in the totality of a being's factual existence. Beings find themselves thrown into finite Dasein, where existence is defined solely by their actions and their interpretations of themselves<sup>642</sup>. Within the analytic of Dasein, the pursuit of a foundational *why* —an essential reason, purpose, or truth of existence, as the traditional focus of ontology— becomes peripheral. More significantly, due to an uncritical acknowledgement of Being, preoccupation with such an essential *why* contributes to *Seinsvergessenheit*, thereby obstructing the ontological difference— the distinction between Being and beings as fundamental to the understanding of existence. Heidegger acknowledges being's propensity to raise existential questions, but he insists that such inquiries never transcend existence itself; they remain within the bounds of being-in-the-world<sup>643</sup>. When beings search for originary premises, they do so through existence itself, avoiding any dependence on an essential framework.

Unlike other ontological thinkers who presuppose Being —thereby becoming insensitive to it, a tendency Derrida critiques as the “metaphysics of presence”— Heidegger chooses to engage ‘directly’ with the ontic, the quotidian realm of phenomena as the foundation for his ontological analysis<sup>644</sup>. For Heidegger, mundane objects and acts emerge as the principal focus of philosophy, as they are grounded in existence— a grounding characterised by a common but nebulous form of *Seinsverständnis*, the comprehension of Being<sup>645</sup>. Through his ontological

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laying-bare of being-with.” (Nancy 2000a, p. 37). The citizens of a polity, as well as those it excludes — the part that has no part, in Rancière's terms— seem to assume that there is something like a polity. (cf. Rancière 2001, §4, 13). Political suspension rarely moves beyond this understanding.

<sup>642</sup> Such interpretation unfolds in the light of Being (cf. *Sein/Zeit*, §53; §29; §5).

<sup>643</sup> (cf. *ibid.* §18)

<sup>644</sup> (cf. Derrida 1997, p. 22); (cf. *Grundbegriffe*, p. 463)

<sup>645</sup> (cf. *Sein und Zeit*, §2)

interpretation of the phenomenal, Heidegger at once gives form to the ontic, elevating it to ontological significance, and challenges traditional ontology by deformatising its meaning<sup>646</sup>. Ultimately, his ontological modus (Being) can only be questioned through the very beings it modalises, structures, or brings into form<sup>647</sup>.

This is the well-known context where Heidegger both critiques the insufficiencies of previous philosophy and initiates a radical new beginning. I have previously argued that his *destruction of transcendental grounding reconstructs* another form of *conceptual restraint*, one that privileges decisive beings in their confrontation of the world<sup>648</sup>. In my discussion of his metaphysical lectures, I stressed the term *Walten* as it demonstrates how Heidegger sustains a metaphysical imaginary, even amidst his prodigious deconstruction. These lectures, which, in the case of the *Introduction to Metaphysics*, can be considered as the metaphysical setting of *Sein und Zeit*, bring Heidegger close to identifying an originary modus of existence. This modus may precede ontological difference<sup>649</sup>.

Emphasising his indebtedness to the pre-Socratics, these lectures analyse physis and its pervasive role in existence. What does such prevalence imply? For the sake of simplicity, one might perceive his reflections on physis as synonymous with his theorisation of Being. Both encompass existence without being present as such. In other words, one cannot deduce the entirety of existence from this rose's growth or that political struggle. Nevertheless, it is misleading to analyse these phenomena without acknowledging that they are inevitably expressions of finite existence. Heidegger's notion of Being, as particularly evident in his reflections on physis, is nothing but a whole comprised of its parts, where the whole itself largely exceeds

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<sup>646</sup> (cf. De Boer 2005, p. 36f). (cf. *Sein und Zeit*, §3; §4). Formalisation corresponds to Heidegger's *Aufbau* or *Konstruktion* (construction), while deformatisation aligns with *Abbau* or *Destruktion*, de(con)struction (cf. Heidegger GA24, §5). When referring to traditional ontology, I reductively indicate the following pre-phenomenological dimensions: Hierarchisations of Being (Plato, Plotinus), Essentialism (Aristotle, Leibniz), the Scholastic dispute between realism and nominalism, binary oppositions or dualisms (most notable in its Cartesian versions).

<sup>647</sup> For my previous chapters, this provided the language for assessing different philosophical approaches.

<sup>648</sup> (cf. Introduction, p. 65)

<sup>649</sup> I should note here that the ontological difference does not serve as a seamless replacement for traditional ontology's search for the originary truth of Being. Instead, it marks Heidegger's necessary precondition for thinking being without forgetting or occluding Being.

Heidegger's metaphysical lectures do not occupy a minor (voluntarist or metaphysical) position in his oeuvre. As Gregory Fried points out: "when the seventh German edition of *Being and Time* was published in 1953, already many years after the end of the war and well into his supposed 'turn', Heidegger in his author's preface referred the reader to his *Introduction to Metaphysics* 'for elucidation of this question of Being.'" (Fried 2000, p. 223).

theorisation. This ‘entirety’ cannot be fully interrogated; it can only be approached through an elliptical address that attempts to approximate its meaning.

Unlike *Being and Time*, Heidegger’s metaphysical lectures propose more than a sober notion of ontological difference. They theorise “structural dispersal” and “hermeneutic dissipation” according to an asymmetric logic of difference— what I colloquially referred to as a destabilisation of difference<sup>650</sup>. *Walten* serves as Heidegger’s metonym for thinking of Being as a generative ground. Whether conceived of as an *Abgrund* (even an *Ungrund*) or not, it grounds beings through its violent sway<sup>651</sup>. *Walten* becomes both the *modus* and *modality* of ontological primacy, where beings polemically confront the prime movement of existence by gathering around Being<sup>652</sup>. While Heidegger, thinking transcendence through existence, stops short of proposing an ontological sovereign, he does analyse his ontological *modus* –Being, or *physis*– as the dominant force of existence<sup>653</sup>. To confront the violent sway of existence, beings must project themselves decisively. Through this projection, ontological sovereignty takes shape.

In §62 of *Sein und Zeit*, Heidegger analyses how Being, as a *modus*, compels beings to modalise themselves, meaning they must project (*entwerfen*) their existence in the light of finitude, which, as previously discussed, is marked by a violent sway. For individual existence, Heidegger’s ontological predicament prevails through an ontic decision. He critiques the collective imposition of the “they” (*das Man*) and instead suggests a notion of resoluteness (*Entschlossenheit*)<sup>654</sup>. Resoluteness is characterised by a conscious confrontation of the anxiety that corresponds with inevitable death<sup>655</sup>. To ‘genuinely’ exist in the face of death, one must decide upon an outline, a form of being, that Heidegger perceives as a projection (*Entwurf*). While indecision may initially be part of this projection, it must eventually be resolved by a decision<sup>656</sup>.

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<sup>650</sup> (North 2012, p. 121)

<sup>651</sup> (cf. *Identity/Difference*, p. 77)

<sup>652</sup> (cf. *Introduction*, p. 142). Derrida acknowledges the asymmetry of this gathering: “When Heidegger speaks of the saviours of ‘φιλεῖν’ that have taken responsibility for λόγος and being, for the essential *Versammlung*, he says ‘a few’, the small number of those that, as men or free subjects could make a choice about this, have taken on themselves [...] the responsibility of corresponding in *Entsprechen* with being, λόγος, and φιλεῖν [...]. Heidegger does not even say [...] that they have taken on themselves such a responsibility [...]. This responsibility has come upon them.” (Derrida 1993, p. 190).

<sup>653</sup> (cf. North 2012, p. 138f)

<sup>654</sup> (cf. *Sein/Zeit*, §25, p. 116f; §60, p. 296f)

<sup>655</sup> (cf. *ibid.* §62, p. 292)

<sup>656</sup> (cf. *ibid.* p. 295)

Without a decisive stance, beings cannot confront Being— a confrontation that amounts to a modalisation of oneself, unfolding in the light of Being, a clearing or *Lichtung* as Heidegger describes<sup>657</sup>. This resolute mastery enables a decisive few to respond to, or to correspond with, Being<sup>658</sup>. Heidegger envisions a projection (*Entwurf*) in which beings recognise their capacity to oppose and assume the governing “sway of the overwhelming”<sup>659</sup>. This obligation, though inherently individual, must acknowledge the violent setting of Being, a responsibility Heidegger seems to reserve for an elected few<sup>660</sup>. Setting aside Heidegger’s less than elegant politics, his ontological assessment clarifies that individual being, whether marked by *Mitsein* or not, necessitates a decision to engage with the existential task of confronting, and not forgetting, Being. Unlike Heidegger, I argue that this projection also pertains to the political, as it concerns the site where communal existence or communality, is subject to definition<sup>661</sup>. How does the ontological obligation to project a decisive ontic outline correspond with the *topos* of the political?

In Heidegger’s 1942/43 lecture on *Parmenides*, he introduces an ontological notion of the polis, arguing that the polis is not to be determined politically<sup>662</sup>. Unlike Schmitt, Heidegger believes that defining the political fails to provide the interpretative frame that is required to understand a political community. Instead, he maintains an essential link between a people and their polis. In §6 of *Parmenides*, he discusses Plato’s *Politeia*, emphasising that it cannot be simply translated as “republic” or “state”, suggesting that an originary relation prevails between polis (πόλις) and Being<sup>663</sup>.

The polis etymologically echoes the ancient Greek word for Sein, Being, *pelein* (πέλειν). Consequently, Heidegger is quick to associate the polis with unconcealment (ἀλήθεια), or truth, and thereby with his understanding of philosophy itself— the practice of lifting the concealed out of concealment (polis—*pelein*—*alethēia*). Heidegger states that Plato’s *Politeia* is not to be grasped as a utopia (u-topos) but rather as a concrete, metaphysically grounded *topos* (τόπος), reflecting the *essentia* (*Wesen*) of the polis. This leads him to insist that the political essentially derives (*Wesensfolge*) from the

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<sup>657</sup> (cf. Heidegger GA69 XI. 129, p. 144)

<sup>658</sup> (cf. Heidegger GA6.1, p. 38); (cf. Derrida 1993, p. 190)

<sup>659</sup> (Einführung, p. 132)

<sup>660</sup> “Against the overwhelming sway [überwältigendes Walten], they [the ones who are capable of creation; die Schaffenden] throw the counterweight of their work and capture in this work the world that is thereby opened up.” (Introduction, p. 65); (Einführung, p. 47).

<sup>661</sup> (cf. Fynsk 1991, p. x)

<sup>662</sup> (cf. Elden 2000, p. 413)

<sup>663</sup> “Between πόλις and ‘Being’ there prevails a primordial relation [waltet ein anfänglicher Bezug].” (Heidegger 1992, p. 90); (Heidegger GA54, §6).

polis. Neither the polis nor Plato's *Politeia* can be politically determined<sup>664</sup>. Heidegger's polis serves as an existential abode (*Wesensstätte*) where the *essentia* of a people prevails<sup>665</sup>. Thus, he does not choose to interrogate the polis for the sake of the political *per se*, but rather to shed light on the unconcealment, the truth, of Being.

Heidegger thus elevates the spatio-temporal specificity of the Ancient Greek polis into a decisive philosophical context where truth is to be disclosed<sup>666</sup>. This universalisation of the polis sheds light on Heidegger's politics, this time understood as the play of forces engaged in a conflict over the governance of communal existence<sup>667</sup>. While I will refrain from commenting on these politics, I instead return to the notion of the political that this interpretation implies, as it allows me to conclude my commentary on the relationship between Heidegger's ontological *modus* and his decisive modality.

In Heidegger's conception of the polis, individual beings coalesce in an existential gathering that enables 'a' people to confront their communal existence. While Heidegger's beings are fundamentally individual, they possess the capacity of projecting a common existence. Yet, such communal existence hinges on a decision, which may or may not be implied, by the prevalence of Being. Heidegger affirms being's co-originary in Being, yet this shared origin does not necessarily culminate in an ontically shared *Dasein*<sup>668</sup>. For a people to act decisively, they must gather around a common interpretation of the political, with the prevalence of Being as their central theme. Only through such a gathering can the 'we', instead of a resolute 'I', be interpreted, enabling a historical decision about the form of a political community.

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<sup>664</sup> "The πόλις is just as little something 'political' as space itself is something spatial." (ibid.).

<sup>665</sup> (cf. ibid.); (cf. ibid.)

<sup>666</sup> Already *Sein und Zeit* establishes a link between *Entschlossenheit* (resoluteness), *Geschick*, and *Schickung* (reductively translated as fate or destiny) (cf. *Sein und Zeit*, §74). Especially during his rectorate period, Heidegger spared no effort to tie the existential abode (*Wesensstätte*) to the "resolute" *Geschick* of the German people (*Volk*) (cf. Heidegger GA16, p. 107ff).

<sup>667</sup> (cf. Fynsk 1991, p. x). Regarding Heidegger's politics, commentary abounds. For some scholars, the emphasis lies on the politics (not the political) which become the interpretative framework for Heidegger's philosophy, suggesting that philosophy emerges from a political conviction (cf. Knowles 2019). Others argue for an inextricable link between Heidegger's philosophy and his politics, positing a mutual influence between the two (cf. Wolin 2016); (cf. Schwan 1989); (cf. Fried 2020). Finally, as a third pole, thinkers like Derrida initially acknowledge the hierarchy as proposed by Heidegger (philosophy as primary), to subsequently destabilise it. Such destabilisation is supposed to render Heidegger's politics more legible (cf. Derrida 2020b). Christopher Fynsk locates "one of the key points" of Heidegger's political thought, as articulated in the *Introduction to Metaphysics*, in his conviction "that a fundamental questioning [...] is inseparable from a sociohistorical and sociopolitical stance: a decision about one's history [...] that must be understood as political, even if political phenomena are in turn read in relation to the history of Being." (Fynsk 1991, p. 152).

<sup>668</sup> (cf. Nancy 2000a, p. 26)



Should the community fail to confront this obligation of engaging with Being, it risks losing its political –and indeed philosophical– relevance<sup>669</sup>.

Again, the modus of Being exceeds scrutiny, but this should not be taken as an excuse to forget about its dominance or primacy. If Heidegger were to concern himself with *sovereignty*, it would be the *force of Being as a common denominator of existence*– one that grounds beings in an abyss (Abgrund) and compels them towards a violent self-interpretation<sup>670</sup>. Heidegger thus opens the possibility of considering different political forms. However, this difference is precarious, as it inevitably gravitates towards a decisive choice as the structuring moment of existence. Before further elaborating on this in Section II, I will briefly recapitulate Schmitt’s perspective, contrasting it with Heidegger’s, with a particular focus on the relation between ontological modus, ontic modality, and political form.

For Heidegger, Schmitt remains entangled within the ontic<sup>671</sup>. His theorisation of the political formalises phenomena –what Chapter II described as existential formalism– but it does not sufficiently deformalise traditional ontology. In other words, Schmitt’s political reconstructions do not adequately deconstruct (abbauen) their ontological preconditions<sup>672</sup>. Enmity serves as the most pertinent example. Schmitt understands his Hobbesian negative anthropology, conceived as an ontological essence, whether that be theologically informed or not, as irreplaceable. This ontological modus potentially leads to the ontic necessity of decisively assuming one’s political association through dissociation. In other words, enmity inevitably shapes existence. If individuals fail to recognise this hostility, and, as a consequence, fail to form political units, they are lost.

Resulting from his arch-conservatism, Schmitt’s political forms, while potentially polymorphous, are not open to complete transformation; they inevitably remain antagonistic. If political units fail to adapt a clearly defined hostility as their own, their survival is at risk. While Heidegger posits *Seinsverständnis*, the comprehension of Being, to reshape the philosophical task and to avoid the peril of oblivion, Schmitt

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<sup>669</sup> I ignore to which extent Heidegger frames this as the response to a call (Ruf) (cf. Being/Time §56); (cf. Sein/Zeit §56).

<sup>670</sup> (cf. Sein/Zeit §32, p. 152)

<sup>671</sup> As Robert Bernasconi writes: “[...] Heidegger was at pains to insist that Schmitt had failed to root his concepts ontologically and that, had he done so, he could have taken advantage of Heidegger’s own account of Dasein’s self-assertion (Selbstbehauptung)” (Bernasconi 2015, p. 220).

<sup>672</sup> This does not merely imply that Heidegger’s Schmitt remains within traditional ontology but that he fails to think Being, and thus fails to think at all.

emphasises the need to resist depoliticisation<sup>673</sup>. However, the loss of the political does not result in the oblivion of this ontological essence –since hostility will continue to exert its influence– but rather in the failure to fulfil an ontic task derived from an ontological obligation.

Heidegger would dismiss this as an insufficient deconstruction of ontological essence<sup>674</sup>. From his perspective, Schmitt's treatment of enmity as a fundamental political principle fails to critically engage with the Heraclitean polemos (thus rendering his interpretation of enmity ontologically inadequate) and omits the original connection between a people and their polis (thereby obstructing a thorough understanding of the relation between being and the political, let alone Being itself)<sup>675</sup>. Nevertheless, Schmitt relies on his existential formalism to resist depoliticisation.

Schmitt's traditional ontological conviction, which retreats from what Heidegger refers to as *Abbau*, is evident in his implicit theorisation of epochal schemas: he posits a metaphysical identity between a given era and its political form<sup>676</sup>. If a political unit fails to assume its appropriate form, or worse, remains formless, it will inevitably be supplanted<sup>677</sup>. Schmitt is elusive about how this appropriateness is to be assessed beyond the historical manifestation of concrete, material enmity. In the confrontation between political formlessness and political resolve, the role of the sovereign lies in the ability to suspend any impediment to a decisive form. Schmitt is indifferent to individual norms, as he envisions the continuity of a normative system through the

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<sup>673</sup> Schmitt primarily attributes depoliticisation to liberalism. Another example would be civil war, where hostility is insufficiently defined. Schmitt rejects the notion of a 'private' enemy, the opponent must always be 'political' (cf. *Begriff d. Politischen*, p. 27).

<sup>674</sup> For Heidegger, Schmitt formalises enmity into the decisive outline of the political (i.e. enmity becomes its principal form) but does not succeed in deformalising the ontological register (i.e. destructing the insufficient ontological dimension) upon which he relies. By neglecting the more originary link between Being and beings, Schmitt inadvertently perpetuates the metaphysics of presence (cf. *Sein/Zeit* §1). Nevertheless, Heidegger does not deny the role of enmity in sharpening *Dasein*: "An enemy is each and every person who poses an essential threat [*wesentliche Bedrohung*] to the *Dasein* of the people and its individual members. The enemy does not have to be external, and the external enemy is not even always the more dangerous one. And it can seem as if there were no enemy. Then it is a fundamental requirement to find the enemy, to expose the enemy to the light [*ins Licht zu stellen*], or even first make [*schaffen*] the enemy, so that this standing against the enemy may happen and so that *Dasein* may not lose its edge [*nicht Stumpf werden*]." (Heidegger 2010, p. 73); (Heidegger GA36/37, §3, p. 90f).

<sup>675</sup> (cf. Heidegger GA54, p. 135); (cf. Heidegger 1992, p. 91)

<sup>676</sup> Schmitt proposes this archaeological "sociology" in *Political Theology* (Pol. Theologie, p. 50f); (Pol. Theology, p. 46). In the case of Heidegger, such a deduction does not rely on historical, sociological, or political sensibility. As previously discussed, Heidegger's initial philosophical strategy focuses on the phenomenon itself rather than seeking an identity between the ontic and the ontological. In fact, it is often their non-identity that prompts ontological destabilisation. However, as I will argue below, Heidegger's deconstruction has its ontological limits, as it never challenges the sovereign sway of Being.

<sup>677</sup> (cf. *Pol. Romantik*, p. 16)

sovereign decision<sup>678</sup>. Any norm that prevents a political unit from decisively taking shape must be suspended<sup>679</sup>. However, this does not entail a suspension of normativity itself. Schmitt's sovereign decision is normative in that it ensures the realisation of a decisive political form, while circumventing the constraints of individual norms, as the specific scope and context of the decision cannot be predetermined.

Schmitt's *suspension* –the sovereign decision on the exception– serves a specific function: it *deformalises the rule of law* when that rule obstructs the formation of a decisive political form or the establishment of a new decisional order<sup>680</sup>. The suspending decision revitalises the political unit in the face of disunity by compelling it to gather around a common adversary. Schmitt perceives enmity as an essential fact, which I interpret as his primary ontological modus. Thus, he is not focused on the resolute (*entschlossene*) modalisation of individual *Dasein*, but rather on the political unit as a whole<sup>681</sup>. Consequently, the political *epokhē* in Schmitt's ontology entails the suspension of belief in any norm that obstructs the normative imperative of concrete political modalisation, necessitating a sharp division between friend and enemy.

In Schmitt's political kosmos, this division results in political units composed of homogenous people. Such homogeneity is not about the political harmonisation of disparate individuals but rather about the presumed requirement of a "homogeneous medium" for sustaining a normative system<sup>682</sup>. In juridical terms, Schmitt alludes to the 'fact' that a norm cannot be applied in the absence of minimal stability, that is, its enforcement requires a functioning rule of law, not "chaos"<sup>683</sup>. In the absence of such a medium, the *suspensional decision* presumably acts as a *homogenising force*, providing a relatively stable foundation upon which a political unit can ground itself. Schmitt's suspension therefore functions as a perspectival unifier, removing or bracketing impediments to political unity while crystallising the central modus of his politics: antagonism.

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<sup>678</sup> This is the role of the exception. Samuel Weber identifies what he terms "methodological extremism" in the works of Schmitt. Schmitt prioritises the exception, arguing that meaningful understanding gained from the exception outweighs the generalisations drawn from the quotidian (cf. Weber 1992, p. 7).

<sup>679</sup> (cf. *Diktatur*, p. 190)

<sup>680</sup> (cf. *ibid.* p. 134)

<sup>681</sup> For Heidegger, the community results from the gathering around a common interpretation of Being. For Schmitt, the political unit is formed through a shared modalisation of enmity, characterised by an alliance forged in common hostility.

<sup>682</sup> (cf. *ibid.* p. 133f)

<sup>683</sup> (*Pol. Theologie*, p. 19)

I interpret Schmitt's bellicose suggestions and Heidegger's insistence on violently confronting the forceful sway of the world as *methods of existential consolidation*, administration, or governance, as Heidegger notes<sup>684</sup>. In ontological terms, sovereignty, as discussed so far, implies a provisional grounding that stands in opposition to the absence of foundation<sup>685</sup>. The suspension, as implicitly suggested by Schmitt, serves as an existential catalyst for political formation, with concrete projections of political being (politische Verfasstheit, in Schmitt's terms) resulting from the suspension's homogenising capacity<sup>686</sup>. *Ontological sovereignty* and the *ontology of suspension* are thus *constitutively linked*.

However, Schmitt fails to consider that his recourse to suspension permits a different emphasis that complicates its scope: a suspension does not solely homogenise but also encompasses the dispersed, the heterogeneous, and the turbid, as will be discussed in Section IV. What I interpret as Bataille's suspension represents a decisive resistance to homogeneity. Where Schmitt's decision in establishing the *state of exception* serves to homogenise political perspectives, Bataille's *state of exaltation* highlights the perilous insufficiency of such unification<sup>687</sup>.

For Bataille, the determining modus of existence is excess. He derives this from a peculiar critique of political economy, situating so-called "particular" economies within a broader "general" or solar economy<sup>688</sup>. In this framework, the larger kosmic or ontological domain unceasingly emits energy. Eventually, every economy reaches a point where its 'needs' are fulfilled, and further growth is unnecessary. At this point, the inevitable surplus must be expended<sup>689</sup>. This is what his state of exaltation implies— a domain of excessive expenditure where the unleashed play of forces can no longer be controlled. Bataille terms this destructive surplus the accursed share, and I interpret the question of how to dispel this share as his central sovereign task.

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<sup>684</sup> Resolute beings "fulfil the governance of the sway of the overwhelming [Verwaltung des Waltens des Überwältigenden]" (Introduction, p. 183); (Einführung, p. 131f).

<sup>685</sup> Above, I argued that Heidegger's de-formalisation results in re-formalisation, while Schmitt's formalism attempts to oppose the presumed peril of formlessness. As discussed in Chapter I, Walten articulates the prevalence of a differential horizon, within which elusive Being in its relation to beings might be grasped. However, if the aim of philosophical inquiry is to be 'thoughtful' and to potentially circumvent the metaphysics of presence, then the analytical horizon itself requires destabilisation. Yet, as I contended, Walten seems to mark the limit of such destabilisation, thereby carrying strikingly sovereign connotations.

<sup>686</sup> (cf. Verfassungslehre, p. 16); (cf. Constitutional Theory, p. 71)

<sup>687</sup> I infer this syntagm from Mary Dalwood's —perhaps overtly active— translation of dépassement (cf. Bataille 1976, p. 19); (cf. Eroticism, p. 112).

<sup>688</sup> (Accursed Share I, p. 9); (cf. *ibid.* p. 23)

<sup>689</sup> (cf. *ibid.* p. 22); (cf. Accursed Share II/III, p. 182)

In his own terms, Bataille engages in a Nietzschean reinvention of values by assessing the limitations of sovereignty<sup>690</sup>. For him, sovereignty is rendered meaningless in a system where everything serves within an excessive regime of utility<sup>691</sup>. Unlike Schmitt's state of exception, which presumably rejuvenates a political unit by urging it to (re)project its active heteronomy with the political opponent, Bataille's exaltation destabilises. Excess knows no political boundaries, and the sole function of a useless sovereign –serving the general economy of excess– becomes the dispelling of the accursed share, potentially in a less destructive fashion<sup>692</sup>.

Sharing Heidegger's and Schmitt's conviction that our understanding of ontology is marked by grave misconceptions, Bataille questions an ontological modus of excess<sup>693</sup>. The sovereign task, then, lies in how to respond to this excess. His modalisation, yet to be fully articulated, could potentially guide beings through the predicament of excessive Being. The fundamental query guiding this modalisation is whether the excess share is wasted catastrophically or tragically<sup>694</sup>. In Bataille's reflections on the accursed share, significant attention is given to the role of sacrifice as a means of removing objects from the logic of utility, rendering them irretrievable within the general economy of excess– a process amounting to tragic waste<sup>695</sup>. In contrast, catastrophic waste manifests as war<sup>696</sup>.

In these terms, Bataille's major contrast with Schmitt derives from his alternative notion of sovereign modalisation. While enmity drives Schmitt's political units to form a homogeneous whole, Bataille's relational notion of subjectivity disrupts such homogeneity. In both cases, sovereignty serves a concrete purpose: ensuring political survival and mitigating catastrophic outbursts. Setting aside 'utility', the major

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<sup>690</sup> (cf. *Accursed Share II/III*, p. 367)

<sup>691</sup> (cf. *ibid.* p. 256). Everything functions within a regime of utility, yet this regime itself is engulfed by a domain of excess. As a result, the tautological notion of self-grounding is rendered meaningless by Bataille's modus of excess. For Bataille, the endless cannot be assigned a definite end. A similar observation applies to Schmitt: his political homonymy relies on heteronomy. This association through dissociation is not an end in itself but corresponds with a broader ontological imperative of ensuring survival in a Hobbesian, or perhaps Machiavellian, world. Contrary to many critics, I believe Schmitt is fully aware of this dynamic.

<sup>692</sup> (cf. *ibid.* p. 16)

<sup>693</sup> As I argued, this assessment is not uniform. Heidegger theorises ontology, while Schmitt thinks ontologically. Although Bataille shares Schmitt's concern, albeit from a distinct political standpoint, he is closer to Heidegger's philosophical strategy. However, Bataille employs his philosophical questioning in a markedly more eccentric manner (cf. *Accursed Share I*, p. 22).

<sup>694</sup> (cf. *ibid.* p. 24)

<sup>695</sup> In the Bataille discussion of Chapter III, I chose not to follow Bataille's focus on sacrifice, as it largely neglects the concrete (sovereign) utility of the sacrificial acts he studies. In these acts, sacrifice serves to maintain continuity rather than disrupt the general economy. To mark this, I referred to Bataille's notion of sacrifice as hubristic. I will return to this notion in Section IV of this chapter.

<sup>696</sup> (cf. *ibid.*)

difference lies in their conceptions of sovereign subjects. Bataille aligns more closely with Heidegger's focus on individual being than with Schmitt's emphasis on political units. Schmitt is largely indifferent to how the modus of enmity shapes an individual, whereas Bataille extends his analysis of excess to the level of individual existence.

Beings are compelled to form transient ensembles that transcend their individual existence<sup>697</sup>. Bataille alternately refers to this "heterogeneous character" as poor self-enclosure, laceration, or communicative being<sup>698</sup>. The ontological modus of excess prompts beings to acknowledge their relational modality— an excessive ensemble of finite existences which cannot derive its identity, much less the sovereign trope of self-identity, through opposition to other ensembles. For Bataille, sovereignty is inherently collective and does not function to perpetuate enmity, but rather to reduce catastrophe, understood as the nihilist circularity of (capitalist) production<sup>699</sup>.

What are the implications of these different approaches to ontological modes and ontic modalities? Beyond my conviction that Heidegger's terminology provides a suitable schema for interpreting these thinkers' responses to the perceived unrest of ontological forces —whether in the form of *Seinsvergessenheit*, depoliticisation, excess— it is this schema that clarifies the peculiar constellation of *ontological sovereignty* and the *ontology of suspension*. In the following sections, I turn to both of these notions before briefly schematising the constitutive importance of sovereign disintegration.

## II. Ontological Sovereignty

To what extent does the setting (*Setzung*) of Being determine beings (*Gesetztes*) that are immersed within this setting? Traditionally, sovereignty is understood as an agent or force that harmonises distinct political perceptions within a clearly defined context, reflecting the enduring relationship between authority and territory in political discourse. In Bodin's case, whom Schmitt praised for introducing decisionism into the conception of sovereignty, it refers to the prerogative power, *legibus solutus*, of the ruler. This decisional authority, or *majestas*, operates largely without constraint — exceeding other forces vying for influence in its context— while remaining bound by

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<sup>697</sup> (cf. *Inner Experience*, p. 84f)

<sup>698</sup> (*ibid.* p. 96)

<sup>699</sup> Again, this is more aligned with Heidegger than with Schmitt, as it does not prescribe a unifying plenum of perception (cf. *Accursed Share II/III*, p. 101).

natural and divine law<sup>700</sup>. In the context of my dissertation, this implies that a sovereign possesses the decisional capacity to conceptualise a dominant projection of existence, one that, for Heidegger, must confront the violent sway of the world<sup>701</sup>.

The remarkable strength of Heidegger's thought lies in a philosophy that, while declaring Being as its major concern, largely brackets questions that would 'directly' approach it—such as how a force grounds itself or why this grounding is ontologically decisive. Although Being itself, which may be described as the proto-sovereign of finitude, eludes complete theorisation, that elusion should resolve beings to question existence rather than absolve them from doing so.

Heidegger employs various terms—including *Seinsvergessenheit*—to describe the forgetting of Being. In each case, beings lose sight of existence and mistake *technē*, technological means in the broadest sense, for a simulacrum of *physis*<sup>702</sup>. Beings thus lose sight of existence in a world where the question of Being is replaced by seemingly peripheral phenomena<sup>703</sup>. Heidegger's *epochē* not only enables him to deduce ontological significance from quotidian phenomena but also allows him to circumscribe Being without hypostasising it.

Nevertheless, the metaphysical lectures come close to undermining this approach. Their use of *Walten*, which conceptually operates as both a metonym for origination and ontological difference, implies more immediate ways in which Being imposes itself violently on individual existence. For Heidegger, the prevalence of *physis* reveals how beings are engulfed by a conflictual sway that they must inevitably confront. Should they refuse, they risk their descent into irrelevance.

Heidegger exhibits little patience for philosophical-political assessments<sup>704</sup>. As derived from his lectures on *Parmenides*, the political must be understood through the lens of the polis, rather than deducing the polis from political concerns<sup>705</sup>. This is because he perceives a political community as a group of beings who respond to the

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<sup>700</sup> (cf. *Pol. Theologie*, p. 15); (cf. Bodin 1955, p. 24; 46ff)

<sup>701</sup> Following Schmitt's sociological archaeology, any political conception must be perceived as a secularised theological notion. This is also suggested by Ernst Kantorowicz, who, through his analysis of the English medieval crown jurist's notion of 'the king's two bodies', offers a genealogy of political theology (cf. Kantorowicz 1992, p. 35; 235). When political sovereignty is modelled after divine omnipotence, ontological tautologies result: how does a force ground itself? How does it define its own purview? While I leave more concrete responses to political theorists and scholars of scholasticism, I contend that such tautologies do not represent a major obstacle in the confrontation of political forces.

<sup>702</sup> As Nancy suggests, war is both the *physis* and *technē* of sovereignty (cf. Nancy 2000b, p. 121).

<sup>703</sup> It is not that Heidegger avoids advancing through phenomena; rather, he uses them to focus on broader ontological questions.

<sup>704</sup> This impatience might be conceived as a common marker of many philosophies.

<sup>705</sup> (Heidegger GA54, §6)

overwhelming prevalence of Being. This *Walten*, or prevalence, communicates itself violently but does not address all beings uniformly. Such an assessment may seem conventional –some project themselves decisively, others do not– yet Heidegger does not stop here. His reflections in the metaphysical lectures outline how an originary sway permeates all existence, demanding a sovereign confrontation to prevent beings from being overwhelmed by Being. *Sein und Zeit* is concerned with the ontic/ontological response to this sway (rather than the metaphysical prevalence of Being), Heidegger’s approach here is more pragmatic: resoluteness (*Entschlossenheit*) demonstrates how beings temporalise themselves by acknowledging their finitude and projecting their existence<sup>706</sup>.

These projections (*Entwürfe*) require sovereignty to the extent that unimpeded decisional agency needs to be assumed; without this, beings fail to address Being. However, this agency is never voluntarist– it neither replaces Being as the primary philosophical concern nor transcends the limits of finitude. Beings are thrust or thrown into existence –this is where *Entwurf* correlates with *Geworfenheit*– meaning that they conceptualise the contingent purview of their finite existence within the overarching sway of Being. In the metaphysical lectures, this *Entwurf* becomes more contentious. While Heidegger never abandons the ontological difference, he theorises a violent kosmos in which certain beings are more adept at confronting this sway with their own projections<sup>707</sup>. In doing so, they decisively conceptualise themselves in the light of Being, “throwing their counterweight” against it while remaining conscious of its overarching governance<sup>708</sup>.

Heidegger’s polis, as the site where common existence prevails, is the topos where such projections potentially confront one another. What, then, constitutes ontological politics? I propose understanding them as a confrontation –what Heidegger refers to as *Aus-einander-setzung*– over the meaning and purview of common existence<sup>709</sup>. For Heidegger, this confrontation involves how beings gather around the *essentia* of their existence<sup>710</sup>. He is unwilling to consider a form of ontological politics that does not operate through the resolute projections of beings who consciously confront the site of their communal existence. In this sense, ontological sovereignty

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<sup>706</sup> (cf. *Sein/Zeit*, §62, p. 297)

<sup>707</sup> This is Heidegger’s interpretation of the Heraclitean *polemos* (cf. *Einführung*, p. 87).

<sup>708</sup> (*Introduction*, p. 65); (cf. *Einführung*, p. 47)

<sup>709</sup> (*Einführung*, p. 87)

<sup>710</sup> For Heidegger, this decision pertains to the topos of the political, rather than to politics (cf. Heidegger GA54, §6).



serves as the dominant vector for interpreting political existence<sup>711</sup>. While it allows for differential movements, i.e., different political forms, it ultimately circumscribes them within a clearly demarcated range of possibilities. These possibilities, however, rest on numerous implicit presuppositions –such as a shared language, a territory assumed as one’s ‘own’, an ontological division of beings bridged by politics, an ‘I’ distinct from a ‘we’– which themselves would need to become the subjects of ontological-political confrontation.

Walten implicitly accounts for Heidegger’s distinction between pre- or non-political irrelevance and political strength. To confront the violent sway of existence, a distinctive form of philosophical, artistic, or administrative force is required. Only through the conscious assumption of these forces can the polemical sway of the world be consolidated into a shared dwelling for political beings. This dwelling translates the forceful sway of the world into a tangible communal framework, though this framework must remain aware of its broader setting– finite Being. These frameworks function as provisional ontological resolutions, contingently determining the shared ground upon which a specific community constructs itself. *Ontological sovereignty, therefore, implies an existential setting that not only politically grounds beings in shared existence but simultaneously prevents this grounding from becoming continuous or stable*<sup>712</sup>.

There are constructs that provide contingent stability –‘history’, ‘nation’, ‘tradition’– but these should not deceive beings into thinking that their political formations are anything more than contingent constructs. Unlike the ontological structures that enable resolute choices, Heidegger largely refrains from prescribing a definite agenda for these political forms. Instead, he analyses a domain of ontological sovereignty that inevitably serves as the vector for these political (which, for him, are always decisively existential) possibilities. Heidegger’s resolute communities may have the option to refrain from projecting their communal forms, but such indecision ultimately culminates in oblivion; it implies that the prevalence of Being can neither be confronted, opposed, nor questioned. For Heidegger, this tendency is inescapable: as

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<sup>711</sup> I borrow this term from Butler, who employs it to describe the competing projections of Adorno’s “good life”, *Richtiges Leben*: “If we rely on ordinary language to tell us what the good life is, we will become confused, since the phrase has become a vector for competing schemes of value.” (Butler 2018, p. 194).

<sup>712</sup> While Heidegger provides the philosophical language to arrive at such a conclusion, he fails to acknowledge its political consequences, instead attempting to fabricate an authentic link between the presumably timeless polis and the destiny (*Geschick*) of the German people.

long as beings exist, Being remains their primary ontological modus, conditioning all possible modalities.

This sovereignty can be disregarded, but only by actively questioning it can beings challenge its sway. Unlike its political iterations, however, this sovereignty does not necessarily establish a genuine, authentic (echt), or otherwise fabricated link between a people and their polis<sup>713</sup>. Rather, it refers to the provisional and, at times, decisive attempts to shape a shared form that solidifies meaning without constructing an essential foundation for the communal, political, or social.

Returning to the more rigorous terms of Heidegger's analysis, this provisional solidification or resolution becomes evident in *Die Sprache (Language)* (1950) and the lectures on *Identität und Differenz (Identity and Difference)* (1957). Throughout these works, Heidegger introduces *Austrag*, often aligned with *Walten*, as a threshold for ontological resolution. This resolution describes an ontological strategy that facilitates the formation of shared meaning. A minimum of such meaning might be considered as the share of cohesion, necessary for the formation of a political community<sup>714</sup>. Yet, once again, Heidegger neither refers to politics nor the political; instead, he seeks an aspect of ontological language that consolidates meaning without constructing an essence.

Heidegger's *Die Sprache* forms part of a broader attempt to interrogate the existential primacy of language<sup>715</sup>. In addressing the perceived separation that prevails between the world and the "thing" (Ding), Heidegger suggests that this difference or partition (Schied) functions to unite them within a common hermeneutical horizon<sup>716</sup>. This differential element is not a mere mediator; rather, Heidegger introduces *Austrag* (translated as "disposition" or "perdurance") to describe a juncture –a threshold or *Schwelle*– where meaning solidifies<sup>717</sup>. This threshold is metaphorically compared to

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<sup>713</sup> Occasionally, Heidegger falters in maintaining this ontological 'neutrality', instead slipping into a historical assessment.

<sup>714</sup> In fact, Heidegger prescribes more than a mere minimum, as suggested by the 'authentic' link he establishes between Ancient Greek and German.

<sup>715</sup> He considers these structural characteristics of language through an assessment of a poem by Trakl (cf. Heidegger GA12, p. 14).

<sup>716</sup> "In the midst of the two, in the between of world and thing, in their inter, division prevails (waltet der Schied)" (Heidegger 2001a, p. 199); (Heidegger GA12, p. 22).

<sup>717</sup> The Cambridge Heidegger Lexicon suggests "disposition" as a translation of *Austrag*. Albert Hofstadter translates it (at least in *Language*) more literally as "carrying out" (cf. Wrathall 2021, p. 220); (cf. Heidegger 2001a, p. 201). Derrida proposes to understand *Austrag* as that which: "links, in difference, Being to beings" (Derrida 2017, p. 215). Notably, *austragen* means both carrying and resolving, with the latter indicating a confrontation through which opposing forces settle their differences.

a door-beam, serving as a structural joint that stabilises (or consolidates) the division between inside and outside, particularly the distance between a thing and its name, functioning as a stable intermediary between Being and beings<sup>718</sup>. Austrag, then, emerges as a contingent yet pivotal resolution, both structural and hermeneutical. It is structural in that this resolution provides a provisional grounding to confront abyssal (abgründig) finitude, and hermeneutical in that it establishes a shared (meta-) language for confronting what may be or become a common articulation of the communal.

Heidegger proceeds to emphasise the prevalence of Austrag, reinforcing the primacy of ontological difference<sup>719</sup>. He cautions against any form of dissolution or deformalisation that lacks a contingent foundation<sup>720</sup>. For him, even the most radical dissolution remains constitutively linked to the hermeneutic and structural grounding of Being. When Heidegger's ontological language is applied to a philosophical analysis of the political, it aligns with Schmitt's critique of political formlessness. For Heidegger, the absence of form, whether philosophical or political, signals a failure to recognise the ontological processes by which meaning solidifies through acts of destruction and reconstruction. This is also a critique of indecision, where formlessness signifies beings that fail to draw from Austrag, the provisional resolution necessary to confront an unsettling world within structural and hermeneutical limits that permit temporary, if fragile, stability<sup>721</sup>.

Heidegger's Austrag and Walten suggest that the violent sway of the world is not entirely unrestrained. The prevalence of the world exposes itself to beings in a way that allows them to derive contingent, temporary meaning. For Heidegger, language serves as the means by which unsettling difference solidifies into a shared, or at least shareable, narrative. His analogy of the door-beam is instructive: it represents the distinction between familiar, and perhaps comforting, meaning and an unsettling world—representing the transition from the nameable to the unnameable. In this way, beings can endow Being with provisional meaning through continuous, elliptical

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<sup>718</sup> "The threshold [Schwelle], as the settlement of the between [Zwischen]." (Heidegger 2001a, p. 201); (Heidegger GA12, p. 24).

<sup>719</sup> Despite his efforts to develop a post-metaphysical dictum, as exemplified by the notion of Austrag, Heidegger remains indebted to the sovereign sway, articulated through Walten.

<sup>720</sup> A dissolution that operates without solidification. Heidegger cautions against difference, in the absence of identity.

<sup>721</sup> Nancy stresses the dispersed and disparate components of dis-position. For Nancy, Austrag functions both as a form of resolution and as a means to stress the limits of any resolution (cf. Nancy 2000a, p. 23).

attempts to grasp its elusive characteristics. Unlike such efforts, formlessness remains trapped in an ontic state that precedes any ontological resolution.

In his lectures on *Identity and Difference*, which are associated with his later 'post-metaphysical' phase, Heidegger further specifies the function of such ontological resolution<sup>722</sup>. He conceptualises this resolution as a dynamic process involving understanding and foundational engagement (Gründen). Austrag is neither a static nor a conclusive state, but rather represents a continuous circling (Umeinanderkreisen) around Being and beings. By this point, Heidegger's notions of Walten and Austrag supplement each other, suggesting a sovereign approach to making sense of one's being-in-the-world<sup>723</sup>. This sovereign modality is critical in determining and solidifying meaning, whether interpreted as a threshold or as a polemical horizon of existence<sup>724</sup>. Both Austrag and Walten –should one succeed in responding to their call– imply philosophical, rather than political, obligations.

Whether conceived politically or philosophically, I am primarily concerned with the conceptual impossibility of thinking these notions or existential obligations outside the framework of ontological sovereignty, a possibility Heidegger seems to foreclose. So far, this framework serves both as the dominant interpretative vector for bestowing meaning upon shared political existence, and as a reminder of the impossibility of stabilising such meaning into a timeless foundation: the very force that grounds the common renders it inherently unstable. Heidegger not only acknowledges this aporia of sovereignty but also provides the means to assess it in existential terms.

He consistently emphasises “thrown individuation” (“geworfene Vereinzelung”) over any notion of a political unit or collective ensemble<sup>725</sup>. Yet, this does prevent him from favouring a communal gathering that centres on a determined emphasis of its

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<sup>722</sup> (cf. Heidegger GA11, p. 74)

<sup>723</sup> “Im Austrag waltet [In disposition prevails]” (ibid.). Heidegger's Austrag represents an ontological consolidation or solidification, akin to a door-beam or threshold– serving as a stable intermediary between Being and being. This suggests a provisional unification of meaning within the suspension created by ontological difference. Despite his philosophical radicalism, Heidegger retains the structural primacy of sovereign solidification within an ontological framework that operates through suspension.

<sup>724</sup> This stabilisation also has political implications. Political rhetoric often assumes the role of a consolidating signifier, ascribing meaning to what is otherwise formless or nameless, and thus ‘unsettling’. However, political discourse frequently fails to acknowledge that such meaning is transient, and that any attempt to construct a foundation on this instability requires continuous force to mask its contingency. If there is a political task –and should such politics perceive themselves as Heideggerian– it would involve recognising Austrag and Walten as an unceasing call to confront contingent meaning. This requires political rhetoric to address the violent prevalence of Being (i.e., finitude) and to confront such finitude through transient foundations (wechselnde Ab/Gründe), without attempting to sovereignly stabilise them as timeless.

<sup>725</sup> (Being/Time §58, p. 269); (Sein/Zeit §58, p. 280)

historic and quasi-natural specificity. In this sense, Heidegger extends his ontological analysis of individual Dasein to encompass the question of how ‘a’ people, a political group of beings, gathers around a historically specific sway of existence and interprets this sway as a grounding call.

As I elaborate in Section III, this dynamic correlates with a suspension that brackets the aporetic moment of sovereignty to found (gründen) an ephemeral ground, masking its contingency and fragile finitude<sup>726</sup>. Before transitioning to the supplemental relationship of *ontological sovereignty* and the *ontology of suspension*, I will conclude my discussion of ontological sovereignty by emphasising the risk that such interpretative strategies may slip into a conception of political physis. Here lies the potentially obscure link between ontological resolution (Austrag), the prevalence of the world, and the presumed specificity of political beings and their topos.

Traditionally, physis refers to things in their “natural” state, while nomos indicates the constructs of human activity<sup>727</sup>. Resisting the Romanisation of the Greek φύσις, Heidegger advises against translating physis merely as ‘nature’. In his metaphysical lectures, he interprets physis as growth, or Walten, as previously recapitulated. Heidegger’s 1939 essay, *Vom Wesen und Begriff der Φυσικ, Aristoteles, Physik B, 1. (On the Essence and Concept of Φυσικ [...])* further nuances his interpretation of physis. By contrasting this with Schmitt’s conception of nomos, as outlined in his 1950s work *Der Nomos der Erde* (The Nomos of the Earth), I demonstrate how a sovereign interpretation of the political community risks drifting into formalising or essentialising naturalisations.

In his analysis of Aristotle’s *Physics*, Heidegger interprets physis (φύσις) as referring to beings that embody their principle of movement. He argues that everything within the domain of physis possesses an archē (ἀρχή). Etymologically, archē signifies

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<sup>726</sup> Sovereignty, defined by its own boundaries and self-determined logic of ends, exemplifies this paradox: it possesses the capacity to suspend any specific telos while maintaining an overarching teleology. This form of normativity, devoid of particular norms, primarily sustains its own dominance.

<sup>727</sup> As Arendt notes: “things that are by themselves whatever they are and things which owe their existence to man [...] things that are physei and things that are nomō.” (Arendt 2018, p. 15). Already Aristotle’s polis challenges the rigid separation between the ‘natural’ and the ‘cultural’. For Aristotle, the polis is not exclusively a human construct but an integral part of physis. He sees the polis as a ‘natural’ entity as far as it realises the inherent potential of the human being (zōon politikon) to live in a politically organised community. This posits the polis as a natural extension (prosthesis) of human physis and its social inclinations: “It is obvious, says Aristotle, that the polis forms part of the things of nature (tōn physei) and that man is by nature a political being (kai oti anthropos physei politikon zōon)” (Derrida 2011, p. 25).

both an origin or initiation (Anfang) and a form of command or authority (Herrschaft)<sup>728</sup>. Thus, physis is understood as the archē, the originating principle, for beings that possess their own principle of motion (κίνησις). Specifically, beings categorised as physei onta (φύσει ὄντα) are defined by their archē kinēseōs (ἀρχή κινήσεως), meaning that they carry their principles of initiation and command, moving without being moved<sup>729</sup>. Heidegger further develops this by proposing to translate Aristotle’s physis as οὐσία, signifying the Being of beings (Seiendheit des Seienden)<sup>730</sup>.

Heidegger concurs with Aristotle in rejecting the doxic view that physis lacks an intrinsic constitution, referred to as proton arrystōn (πρώτον ἀρρύσμιστον, das erstlich vorliegende Verfassungslose). This misconception culminates in the assumption that physis exerts dominance (hyparchon, ὑπάρχον) over the Being of beings<sup>731</sup>. However, Heidegger emphasises that Aristotle’s identification of physis with οὐσία refutes the notion of an “external” command; instead, physis is the Being of beings, containing within it the principle –the archē– of movement<sup>732</sup>. Thus, it is incumbent upon physis-beings to construct their political movements (or forms) autonomously, without the illusion that these movements are dictated by physis. While beings are circumscribed by physis –being finite– their movement remains self-directed, without ‘natural’ proscription.

Physei onta thus possess their telos (Sich-im-Ende-Haben), their entelecheia (ἐντελέχεια)<sup>733</sup>. However, this should not be mistaken to imply that physis pertains solely to self-creation (Sich-Selbst-machen), nor should it be misread as its ultimate telos<sup>734</sup>. Through Heidegger’s Aristotle, physis emerges as a teleological principle accessible solely through beings. While Being itself is devoid of a telos, it nonetheless

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<sup>728</sup> Here, Heidegger translates 192b 13-15. He speaks of the sway between one dimension (commencement) and the other (commandment): “Ἀρχή means, at one and the same time, beginning and control [Anfang und Herrschaft]. On a broader and therefore lower scale we can say: origin and ordering [Ausgang und Verfügung]. In order to express the unity that oscillates [sways] between the two, we can translate ἀρχή as originating ordering and as ordering origin [ausgängliche Verfügung und verfügenden Ausgang].” (Heidegger 1998c, p. 189); (cf. Heidegger GA9, p. 247).

<sup>729</sup> (cf. Heidegger GA9, p. 252ff)

<sup>730</sup> “The decisive principle that guides Aristotle’s interpretation of φύσις declares that φύσις must be understood as οὐσία, as a kind of mode of presencing [als eine Art und Weise der Anwesenung begreifen].” (Heidegger 1998c, p. 200); (Heidegger GA9, p. 261).

<sup>731</sup> (cf. *ibid.* p. 271f)

<sup>732</sup> In such doxic readings, physis is perceived as constant (das Ständige), while its associated beings are inconstant and transient (Unständig). For Heidegger, this interpretation inadequately represents φύσει ὄντα as beings that presence (Anwesen, Anwesenung) within Being (φύσις) (cf. *ibid.* p. 282).

<sup>733</sup> (cf. *ibid.* p. 286)

<sup>734</sup> (cf. *ibid.* p. 292)

manifests as physis, embodying the fundamental principle of motion, which is the unifying characteristic of *physei onta*.

Should beings fail to recognise themselves as physis-beings, they risk constructing a metaphysical domain that they misinterpret as dominant and self-moving. Heidegger cautions against such a misconception, instead situating beings within physis without conflating them. In the light of prevalent physis, self-moving beings must question the violent movement of existence. Heidegger thereby preserves the ontological difference, where finite beings (*physei onta*) are subject to the sovereign sway of physis yet retain command of their own *archē*. Being prevails as a horizon that engulfs the differential self-movements of beings.

Ontological sovereignty, or *sovereign difference*, as it could now be termed, suggests that beings have the capacity to move, and cede movement according to their will. However, this agency remains inscribed within the larger sway of physis or existence. Heidegger suspends the theological fallacy of prime movement by attributing a kinetic principle to every being. Yet, the larger movement of Being, which can only be assessed through *Dasein*, requires beings to confront the specific movement of Being that they embody— a movement that violently sways through and shapes their existence<sup>735</sup>.

However, unlike Schmitt, Heidegger does not, at least in this context, prescribe an authentic link between physis and any specific polis. His assessment of physis deconstructs the theological aspects of Aristotle's *Physics* while illustrating how self-moving beings (*physei onta*) respond to the prevalence of Being by understanding themselves as physis-beings. This is where existential interpretations and projections are to be formulated. Heidegger is largely unconcerned with the intersection at which a specific interpretation of physis becomes a law, a norm, or an obligation. Rather, it is the (political) event of responding to the prevalence of physis that compels beings to coalesce around a shared interpretation.

The problem of ontological sovereignty is that this event potentially culminates in a misconstruction, discounting its fragility while emphasising its authentic prevalence. In these instances, the cohesive force or *modus* that provisionally grounds

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<sup>735</sup> Heidegger meticulously avoids the misconception of Being as a constant presence—the erroneous belief that Being is perpetually manifest—and opposes the reductive essentialisation of Being as a singular, monolithic substance. Being does not, therefore, exert an 'external' command. Yet, Heidegger strives to preserve both its hermeneutic and structural primacy. I contend that Heidegger accomplishes this through the notion of *Walten*, albeit at the expense of supplementing ontological sovereignty with an ontology of suspension.

political Being is misconstrued by neglecting its other modalities: turbidity and dispersal. I will address these further below; meanwhile, it is crucial to stress the forms such misconstructions might take. Schmitt proposes a notion of political physis that fixes or formalises the normative, thereby restricting the scope through which beings can reinterpret the violent prevalence of Being.

Unlike Heidegger, Schmitt questions physis –which, for him, inevitably remains beyond interpretative reach– by stressing a formalised link between nomos and physis<sup>736</sup>. Schmitt's perspective suggests the existence of an original nomos intrinsically tied to physis. He advocates for a conception of nomological law that, while not fully aligning with natural law, highlights a fundamental relationship between 'natural' physio-political obligation and Being<sup>737</sup>.

Like Heidegger, Schmitt seeks to recover the original, now 'obscured', meanings that once held essential significance. By uncovering this forgotten meaning, Schmitt attempts to establish a foundational basis for an alternative normative framework, where physis and nomos are unified<sup>738</sup>. He contends that this unified domain has been fragmented by numerous distinctions and antitheses<sup>739</sup>: "Most important among them was the opposing of nomos and physis, whereby nomos became an imposed ought [auferlegtes Sollen] dissociated from and opposed to Being [das sich vom Sein absetzt und sich ihm gegenüber durchsetzt.].<sup>740</sup>".

Schmitt is not primarily concerned with a hermeneutic analysis of these terms. Instead, he considers this division as the emergence of a weakened norm. The intersection of nomos and physis suggests a realm where the normative had not yet

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<sup>736</sup> In Chapter II, I stressed Schmitt's essentialising perception of the ontological modus of existence. While Heidegger rarely questions nomological law, his laws are ontological: "Das Ereignis ist das Gesetz, insofern es die Sterblichen in das Ereignen zu ihrem Wesen versammelt und darin hält." (Heidegger GA12, p. 248). The English translation is insufficient: "Appropriation [Ereignis] is the law because it gathers mortals into the appropriateness [Ereignen] of their nature [Wesen] and holds them there." (Heidegger 1982, p. 128f).

<sup>737</sup> Heidegger and Schmitt address this question from distinct perspectives. Heidegger transitions from physis to nomos, with Walten encapsulating this interpretative shift. Schmitt, on the other hand, moves from nomos to physis, where suspension (or the exception) elucidates the 'natural' constitution or obligation of a people.

<sup>738</sup> In this context, Schmitt clarifies his intent: Although in antiquity nomos had already lost its original meaning and had sunk to the level of a general term lacking any substance i. e. a designation [substanzlose, allgemeine Bezeichnung] for any normative regulation [...] I want to restore the word nomos its energy and majesty [Kraft und Größe] (Nomos o. t. Earth, p. 67); (Nomos d. Erde, p. 36).

<sup>739</sup> The perceived loss of natural law's efficacy does not lead Schmitt to advocate for its revival or rejuvenation. Instead, he promotes a distinctly political understanding of the law, wherein the appeal to 'nature' is always already politically informed. This is why a thorough conceptualisation of political physis appears to be the missing link in Schmitt's problematic theory (cf. Nomos d. Erde, p. 38). Once again, Heidegger would criticise Schmitt's failure to destabilise the essential ontological grounding that Schmitt aims to reestablish.

<sup>740</sup> (Nomos o. t. Earth, p. 69 [slightly modified]); (Nomos d. Erde, p. 39)



been partitioned into distinct cultural or legal spheres. Schmitt, therefore, seeks a normative domain where obligation, or the “ought” (Sollen), is not separate from Being. His objective is to restore normative primacy, in contrast to Heidegger’s theorisation of a sovereign sway. Despite their stark differences, both Heidegger and Schmitt consider physis as an interpretative vector for (political) existence. In this sense, the ontological-political task for beings involves perceiving and responding to this vector, which inevitably prevails through existence. However, Schmitt leaves little interpretive room, whereas Heidegger frames resolute interpretation as a fundamental modality of Being. For Schmitt, a concrete understanding of nomos provides a decisive outline for political formation.

In *The Nomos of the Earth*, nomos represents an originary measure (ursprüngliches Maß), established with the founding of cities and the appropriation of land<sup>741</sup>. This initial measure serves as the ontological basis for all subsequent measurements, functioning as a foundational category that frames and stabilises further categorisations. Schmitt notes that “every ontonomous verdict derives from the ground [jedes ontonomie, seinsgerechte Urteil geht vom Boden aus]”<sup>742</sup>, emphasising the grounding function of nomos. A verdict must accord with nomos and be seinsgerecht, aligning with the specific Being of a people: “The Greek word for the first measure of all subsequent measures [alle folgenden Maßstäbe begründende Messung], for the first land-appropriation understood as the first partition and classification of space, for the primeval division and distribution [Ur-Teilung und Ur-Verteilung], is nomos.”<sup>743</sup>.

For Schmitt, the study of the historically specific link between physis and nomos stabilises a political form, much like Heidegger’s Austrag. However, unlike Heidegger, Schmitt –arguably reflecting the distinction between ‘left’ or ‘right’ interpretations of his thought– does not question the contingency of this link or this foundation. Instead, he seeks the structural moment when its hermeneutical meaning was presumably most stable. Identifying this moment would lead to a notion of political physis that establishes

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<sup>741</sup> Schmitt traces the development of the Jus Publicum Europaeum, which he regards as a notable Western, and more specifically, European ‘achievement’. This body of public law, in his view, introduced a new interstitial order in which war was contained (gehegt). Moreover, it furnished a framework that, at least in theory, allowed sovereign formations to coexist in relative peace. While this coexistence remained marked by Hobbesian hostility, it nonetheless provided the structure through which the early European nation-state could establish itself, at the expense of an ‘outside’ that was not considered sovereign.

<sup>742</sup> [my translation]; (Nomos d. Erde, p. 16)

<sup>743</sup> (ibid. p. 36); (Nomos o. t. Earth, p. 67)

an enduring sovereign claim over a territory, a people— an essentialised genealogy. In contrast, Heidegger's concrete study of physis reveals only that physis-beings move within the larger sway of Being.

Nevertheless, both Heidegger and Schmitt regard the prevalence of physis as the decisive modus of political, and in this case, normative existence. Schmitt interrogates physis to fabricate an 'authentic' link between historically specific existence and its normative foundation. His major theoretical task, as mentioned earlier, lies in the continuous perpetuation or re-formalisation of this link<sup>744</sup>. Heidegger, by contrast, adopts a cautious approach. In his metaphysical reflections, physis—which remains undifferentiated from both *nomos* and *technē*—prevails through beings and is inseparable from Being. It is their difference, not their physio-political connection, that must be continuously questioned. The violence of *Walten* inscribes this difference within existence, establishing the interpretative framework within which beings must ground themselves. It is in this process of grounding that ontological sovereignty emerges.

*Walten*, both hermeneutically and structurally, implies that the setting (*Setzung*) determines the beings (*Gesetztes*) immersed within it. The shared ontological-political task of Heidegger, Schmitt, and Bataille is to project a mode of common existence that forcefully responds to the violent sway of the world. Ontological sovereignty suggests that all possible projections of those modes are guided by a vector that circumscribes their scope— this vector may be nothing but finitude itself. Reinterpretations of this prevailing setting require a decisive posture, one that provisionally brackets or omits the contingency of any foundation.

Ontological sovereignty presumably does not allow for indecision or formlessness; it demands a resolute projection (*Entwurf*), an *Austrag*, or a fabricated link between existence and obligation (as seen in Schmitt's work). This is to prevent individuals or communities from descending into oblivion, irrelevance, or destruction.

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<sup>744</sup> Schmitt's notion of an originary *nomos* does not depend on the fracture of an imposed obligation (*aufgelegtes Sollen*) that detaches itself from Being and asserts itself against it (*aufgelegtes Sollen das sich vom Sein absetzt und sich ihm gegenüber durchsetzt*). Schmitt, paralleling Heidegger, endows physis with ontothetical authority: "In its original sense, however, *nomos* is precisely the full immediacy of a legal power [*Rechtskraft*] not mediated by laws; it is a constitutive historical event— an act of legitimacy [*Legitimität*], whereby the legality of a mere law first is made meaningful [*der die Legalität des bloßen Gesetzes überhaupt erst sinnvoll macht*]." (*Nomos o. t. Earth*, p. 73); (*Nomos d. Erde*, p. 42).

The political event that prompts beings to coalesce into communal Being necessitates cohesion, and much depends on how this cohesion is formed.

### III. Ontology of Suspension

Ontological sovereignty refers to the existential setting that compels beings to establish contingent foundations while simultaneously preventing these foundations from consolidating into a stable ground. In a post-metaphysical world, where transcendental foundations have largely been abandoned, a persistent sway of forces or, less archaic, a confrontation of interpretations, continues to drive beings to construct and sustain political forms. These forms grant fragile stability, enabling finite beings to confront the violent prevalence of the world. What remains to be addressed is how these constructions or forms are constitutively prevented from establishing themselves as timelessly valid.

When considered politically, this assessment might seem counterintuitive, given the evident existence of competing hegemonic projections that assert their sovereign claims by neglecting their inherent contingency<sup>745</sup>. In such sovereign confrontations, history functions not as a call for resoluteness (*Entschlossenheit*) or resolution –since any resolution or *Austrag* must remain conscious of its differential contingency– but rather as a marker of truth, or shared interpretations that discount their fragility. These interpretations displace the need for continuously questioning the overarching modus that underpins political modalities.

In these cases, the violent prevalence of existence manifests in the confrontation of competing political projections. For Schmitt, the suspension –or exception– functions as a primary ontological modality, presumably enabling the invention or rejuvenation of political forms that can existentially contend with political antagonism<sup>746</sup>. Schmitt maintains that the suspension necessitates sovereign force – in the form of a decision– to function, shaping a persistent sovereign outline.

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<sup>745</sup> The US “peace plan” for Israel and Palestine, drafted in early 2020 by the Trump administration, is a good example of this dynamic. The plan frames sovereignty as an “amorphous concept that has evolved over time”, while any attempt to perceive the concept as “a static and consistently defined term” necessarily presents an “unnecessary stumbling block”. It is quite evident that the US reserves such conceptual fluidity for its foreign politics, while violently assuring the presumably immovable continuity of its global sovereign hegemony (White House 2020, <https://tinyurl.com/White-House-2020> [last access 02.10.2024; 14:10]).

<sup>746</sup> Schmitt develops a concept of sovereignty that functions through suspension or exception. This suspension does not undermine sovereign authority; rather, it consolidates it by providing a normative framework that temporarily suspends individual norms, thereby establishing a sovereign teleology

The suspension, as a catalyst for ontological sovereignty, operates as an epochal mechanism that brackets concerns which would otherwise disrupt its operation. More concretely: in a world devoid of transcendental grounding, suspension serves as a finite substitute, stabilising what would otherwise remain radically contingent. Though this suspension may be a necessity for thought –exemplified by Heidegger’s *Austrag*, which provisionally resolves the violent sway of the world– it remains a politically precarious manoeuvre. In the realm of political confrontation, contingency gives way to resolute determination.

Ontological suspension, as I argue, requires an ongoing recourse to force – whether archaic or interpretative– to sustain its capacity to suspend. Yet, the very same force that maintains this suspension simultaneously resists any attempt to reach absolute grounding. This aporetic tension between sustaining force and resisting finality not only shapes political worlds but also opens the possibility of conceptualising an alternative modality of political existence. Before transitioning to this alternative, I am yet to outline how the ontology of suspension can be conceived.

This *ontology of suspension* functions as a *supplement to ontological sovereignty*. Rather than merely acting as a catalyst or completing the otherwise unattainable self-identity –which remains one of the aporetic promises of sovereignty– it operates as the *differential medium* through which ontological sovereignty precariously establishes itself and exerts its influence through beings.

In a context of radical deformalisation, epitomised by Heidegger’s philosophical language, there still prevail certain tendencies that require formalisation or solidification. Heidegger’s notion of ontological resolution, or *Austrag*, emphasises that the differential sway of the world requires provisional resolution, lest it result in radical vertigo, as Bataille suggests<sup>747</sup>. In many ways, most political frameworks are uncritical efforts to consolidate the prevalence of the world into more or less coherent, narratable form. This consolidation operates through a *suspension* that *brackets* uncertainty and *suspense* in favour of contingent stability.

As before, I suggest the analogy of suspension, despite its scientific underpinning, as a suitable schema for understanding these processes of provisional ontological consolidation. In a suspension, such as turbid water, disparate elements temporarily form a precarious unity. This unity is not comprised of homogeneous

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focused on preserving political hostility. However, it is questionable whether the exception, particularly when its generalisation becomes constitutive, still serves as a valid interpretative strategy.

<sup>747</sup> (cf. Ffrench 2017, p. 45)

elements; all entities retain their difference while forming a whole that exceeds its parts<sup>748</sup>. In this analogy, the suspension remains a unified entity only as long as an agitating force is applied. Once this force dissipates, the comprising elements settle or sediment into more fractioned states. For illustrative purposes, I interpret this force as sovereign.

This serves to clarify how ontological sovereignty, though perceived differently by Heidegger, Schmitt, and Bataille, nevertheless prompts each of them to suggest an iteration of suspension. As discussed in Section I, their responses to their distinct interpretations of the modus of existence do not assume the same form. However, the concept of suspension serves all of them in thinking through the violent sway of the world.

Without rehearsing their differences and similarities in full, certain overarching tendencies can be inferred from their interpretative schemata. While Heidegger's ontology engages at large in a suspension, Schmitt and Bataille employ it more concretely within their philosophical-political frameworks. I will now briefly highlight Schmitt's and Bataille's treatment of suspension before returning to its less technical philosophical-political implications.

For Schmitt, the suspension serves as the necessary medium through which a political form can assert itself. He rejects any notion of political formlessness that fails to decisively shape itself as a unified political form, defined by dissociation. Schmitt legitimises the sovereign decision with the simple assessment that a regular norm cannot be applied in a state of unrest. This is why he speaks of the need for a "homogeneous medium" to ensure the rule of law's applicability. The sovereign decision –to suspend the regular rule of law, understood not merely as *Rechtsstaat* but as the common interpretative horizon of a political unit– has the function of establishing such a medium<sup>749</sup>.

As the 'authentic' link between *nomos* and *physis*, bemoaned in *Der Nomos der Erde*, has been lost or diluted, it falls to the sovereign decision to fabricate a "normal" political constellation– one that consciously evades the peril of formlessness<sup>750</sup>. Schmitt's formalism, which I suggested should not be seen as an emphasis on the autonomy of form, but rather as a reaction to presumed political irresolution, strategically employs suspension. In his framework, the suspension consistently

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<sup>748</sup> As a homogeneous heterogeneity or a heterogeneous homogeneity.

<sup>749</sup> (*Dictatorship*, p. 118)

<sup>750</sup> (*ibid.* p. 168)

retains the formal remnants of order while allowing for their reassembly. Thus, it de-formalises the existing political-judicial structure to re-formalise authority<sup>751</sup>. Schmitt's suspension, like suspension at large, never merely dissolves; it retains the traces of the structures it seeks to re-consolidate through de-consolidation. To sustain this formal outline, introduced by the suspension, force is required. Once this force dissipates, the suspension disintegrates.

Much of Schmitt's theoretical efforts focus on legitimising the sovereign force necessary for a political form –one that is both hostile and homogenising– to establish itself. Schmitt is less radical than Heidegger; his suspension does not question the ontological order at large. Nevertheless, it makes supplemental use of a notion of ontological sovereignty that polemically shapes existence. Schmitt's political actors – unlike Heidegger's artists, philosophers, or states people– cannot reshape the violent sway of the world; rather, they must understand it as a political obligation to respond to it decisively<sup>752</sup>. In this sense, Schmitt's suspension has nothing but a conservative function, allowing him to theorise drastic differences in political forms without implying more significant processes of ontological transformation. Here, the suspension is a schema that secures a precarious medium where political authority can (re)gain traction<sup>753</sup>.

Schmitt excels by placing a partial emphasis on the suspension. As I will clarify via Bataille, suspension never merely homogenises. However, for Schmitt, this is its primary function– a crucial political modality that inevitably remains inscribed within an economy of sovereignty. In his analysis of different constitutional forms, Schmitt refers to the *Verfasstheit* of a people, their specific political constitution or being, as an indicator of their existential state. If such *Verfasstheit* is indecisive, it fails to live up to the violent kosmos of political antagonism. Schmitt is unwilling to think political units beyond the scope of a homogeneous whole. In this sense, his suspension theorises the medium through which a community –or an autocratic ipse– establishes itself

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<sup>751</sup> Among other strategies, Schmitt assesses sovereign authority through the tension between *ordo ordinans* and *ordo ordinatus*. I interpret *ordo ordinans* as the active force of ordering or consolidation, and *ordo ordinatus* as the resulting, consolidated, or sedimented order.

<sup>752</sup> (cf. Introduction, p. 65)

<sup>753</sup> Within the suspension, individual norms or ends become secondary to the broader political teleology. For Schmitt, the preservation of the political realm –and with it the acceptance of a substantial horizon of enmity– serves as the overarching teleological objective. Schmitt's suspension is conditional because it ultimately facilitates sedimentation, aiming to preserve the continuity of enmity. While the suspension can be invoked repeatedly, offering an unconditional possibility, it does not fundamentally alter Schmitt's teleological structure. Individual objectives or norms may be temporarily suspended, but the overarching teleological framework –the antagonist ontology guiding political existence– remains uninterrupted in Schmitt's conceptualisation of political Being.

authoritatively. However, Schmitt underestimates the fragile contingency of this medium.

In Schmitt's work, such assessments are always historically nuanced and inscribed within a concrete interpretation of the juridical-political structure. For my interpretation, it is instructive to note how his notion of suspension consistently retains the same ontological function throughout his writings. It serves as a means of ontic dissolution within an immovable ontological horizon of enmity. This dissolution does not aim at dispersal but seeks to provide contingent stability within an otherwise ontologically immovable setting. While hostility could diminish and be replaced by deliberation, as Schmitt's critique of liberalism shows, such a non-political condition would cause the loss of the political decision –that is, the decision to suspend the law in the face of existential threat– and, consequently, the dissolution of the political community<sup>754</sup>.

The suspension, which in Schmitt's case establishes a "homogeneous medium", enables a political community to ground itself within an otherwise groundless context<sup>755</sup>. This suspension does not deconstruct its traces; rather, it ultimately serves to reformulate or replace political forms with another interpretation of political being. However, this reinterpretation inevitably remains indebted to ontological antagonism and political authority. The ontology of suspension, as articulated through Schmitt, allows a homogeneous political community to establish its grounding.

Unlike Schmitt, Bataille is willing to accept the instability that results from ontological dissolution. For Heidegger, this suspension or destabilisation (*Schwebe*) corresponds to *Unheimlichkeit*, *Ungeheuerlichkeit*, uncanniness<sup>756</sup>. I interpret both Bataille's ontological instability and excess, as well as Heidegger's *Unheimlichkeit*, as metonyms for the *suspense* that emerges from a *state of suspension*.

Bataille is not concerned with preserving the continuity of political authority but seeks to project alternative political means to disrupt the catastrophic circularity of excess, exemplified by capitalism. These means are inherently collective. Bataille proposes an ontological axiom of relationality that surpasses Schmitt's focus on political communities composed of individual existential actors, as well as Heidegger's

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<sup>754</sup> (cf. *Pol. Theologie*, p. 50f)

<sup>755</sup> (*Dictatorship*, p. 118). Like Heidegger, Schmitt's suspension is conditional, ultimately aligned with an unconditional resolution or settlement.

<sup>756</sup> (cf. *Sein/Zeit* §35, p. 170); (*Being/Time* §35, p. 164)

emphasis on *Mitsein* or *Mitdasein* (Being-with, Dasein-with)<sup>757</sup>. Bataille's transient ensembles of beings engage in a suspension that neither unifies nor homogenises their perspectives, instead mobilising "heterogeneous" forces that open up the possibility for another conceptualisation of ontological suspension<sup>758</sup>.

Bataille's beings are not self-enclosed but ontologically compelled to form transient ensembles<sup>759</sup>. This drive towards community derives from a perception of excess that can only be meaningfully opposed through collective efforts. Without such shared action, beings risk engaging in destructive complicity. Bataille's suspension thus prompts poorly self-enclosed or relational beings to form transient ensembles, which assemble and disassemble as they attempt to confront the violent sway of the world.

Such communities do not define themselves through association or dissociation, as in the case of Schmitt, nor do they coalesce around a shared interpretation of the prevalence of the world, as with Heidegger. Bataille's beings form a heterogeneous whole when such political forms are required to avert catastrophe. These forms do not materialise without a sovereign force that enables a fragile unity within an otherwise excessive *kosmos*<sup>760</sup>. However, unlike Schmitt, Bataille does not deceive himself about the finite contingency of such suspensions.

Beings are inevitably part of unstable ensembles or communities. At times, they gather –this being one of the major implicit proposals of *The Accursed Share*– to dispel excess through less (or more) violent recourse to destruction. Though this still reflects complicity within a *kosmos* of excess, it allows for the redirection or reinterpretation of violent force<sup>761</sup>. For Bataille, this is the sovereign task of a political ensemble, realised through ontological suspension, where heterogeneous unity is temporarily achieved through transient communal grounding. Unlike Schmitt, Bataille persistently warns against perceiving such grounding as stable– his suspension acknowledges that excess prevents any foundation from solidifying. Bataille's suspension thus

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<sup>757</sup> (cf. *ibid.* §26); (cf. *ibid.* §26). Heidegger's emphasis of *Mitsein* does rarely move beyond "thrown individuation" (*ibid.* §58, p. 269).

<sup>758</sup> "Groups composed of numerous simple particles alone possess this *heterogenous* character that differentiates me from you and isolates our differences in the rest of the universe. What one calls a 'being' is never simple [...] it is undermined by its profound inner division, it remains poorly closed." (*Inner Experience*, p. 96).

<sup>759</sup> Bataille derives this assessment from proposing an axiom of communication (cf. *ibid.*).

<sup>760</sup> "[...] Bataille is without doubt the one who experienced first, or most acutely, the modern experience of community as neither a work to be produced, nor a lost communion, but rather as space itself, and the spacing of the experience of the outside, of the outside-of-self." (cf. Nancy 1991a, p. 19).

<sup>761</sup> This redirection does not curtail the excessive but acknowledges a Nietzschean play of forces that cannot be lastingly subdued.



demonstrates the potential for transient, perhaps political, unity that is not constrained by homogenisation.

These different approaches to suspension are based on a shared premise: in a destabilised or destabilising world –whether perceived as oblivious, anthropologically hostile, or excessive– philosophical-political forms are required to structurally and hermeneutically consolidate this instability. Beyond this minimal agreement, however, the thinkers I have studied diverge in their interpretations of both the acts of consolidation and the kind of stability derived from these processes.

While Heidegger acknowledges the elliptical character of his inquiry into Being, he nevertheless emphasises how a shared interpretation of the world’s prevalence prompts beings to coalesce around this understanding. Through this gathering, ideally composed of decisive, resolute beings, the sway or *Walten* of the world can be (re)interpreted. This interpretation does not put an end to the violence of the world but provisionally allows for a decisive disposition (*Austrag*) in which the meaning of difference can be questioned, and the uncanniness of existence can be provisionally ‘domesticated’<sup>762</sup>.

Ontological sovereignty, as I have defined it, refers to an existential setting that grounds beings in a shared existence, yet simultaneously obstructs the stability of this grounding. The ontology of suspension supplements this dynamic by serving as the medium through which these processes of grounding and un-grounding occur. Ontological sovereignty is prevented from achieving absolute grounding, as the interpretative force described by the ontology of suspension continuously disrupts the full consolidation of the fragments it gathers. The very medium that temporarily unites these elements in political cohesion also prevents them from fully returning to fragmentation<sup>763</sup>.

This reflects a peculiar dynamism in which the decision, understood as a guiding interpretation, and the suspension perpetuate each other. Significant problems arise when this medium is only partially assessed– when its turbidity or dispersal is ignored in favour of its unifying potential. Sovereignty still remains aporetic, as it ontologically

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<sup>762</sup> I refer to domicile and domestication because Heidegger derives *unheimlichkeit* (uncanniness) from the absence of a home. In my earlier reflections, I highlighted how Heidegger’s approach is both asymmetrical and how it consolidates a notion of proto-sovereignty.

<sup>763</sup> Relevant questions result from this dynamic: How does one interpret through suspending? How does one politically decide in light of the challenges that the suspension poses? More significantly, how might one conceive of politics without the need for resolute decisions and without relying on homogeneity?

represents a force that grounds itself while simultaneously determining the purview of this grounding.

However, this does not imply that such aporetic force lacks political 'utility'. The ontology of suspension articulates the sovereign need for a continuity of interpretative force, especially if a sovereign structure or form is to be retained. What is ignored by both Heidegger and Schmitt, and only implicitly suggested by Bataille, is that this differential medium allows for the possibility of understanding philosophical-political *dispersal* or *turbidity*—modalities that may offer another approach to political thought.

#### IV. Political Dispersal and Disintegration

How to reinvent “sovereign values”, how to conceive of a “sovereign form, which cannot serve any purpose”<sup>764</sup>? Beyond this Nietzschean reinvention, the ‘useless utility’ of sovereignty lies in its concomitant modalities. The suspension not only gathers or unifies but operates as a turbid medium—its fragile stability derives from *dispersal*. The more thoroughly the engulfed beings are dispersed throughout this medium the less force is required to maintain the suspension. This medium’s stability does not derive from unity, but from distributed difference.

I briefly emphasise dispersal because this aspect of suspension enables a critical departure from Schmitt’s obscure reliance on homogeneity and Heidegger’s insistence on a political event that gathers beings around a shared violent interpretation<sup>765</sup>. The significance of dispersal lies in its potential to rethink ontological relationality, which both precedes –and may proceed from– the political. From this perspective, political confrontation, and its recourse to suspension, ultimately serves to unconceal communal Being.

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<sup>764</sup> Bataille raises these questions early in *Volumes II and III of The Accursed Share* (Accursed Share II/III, p. 16).

<sup>765</sup> A political suspension normatively sets aside specific norms, while an ontological suspension upholds a broader teleology, even as it suspends the particular telos that might otherwise obstruct its guiding existential concern. I see both gestures as connected. For political thought that, above all, focuses on what might be colloquially termed a politics of finitude, the question of this relationship – between the norm and the normative, an individual telos and the teleological– remains crucial. How does one pursue a political goal or envision a political form that does not simply gather, in Heidegger’s terms, around a common interpretation? Such gatherings tend to emphasise difference in the name of communality, and vice versa, thereby obstructing what Nancy considers an ontological fact: being-singular plural. This formless political starting point could allow for another thought of the political.

Thus, suspension can be interpreted as the medium through which a conception of community emerges that exceeds a mere ensemble of individuals<sup>766</sup>. In other words, if ontological sovereignty serves to unconceal that the prevalence of the world discloses nothing beyond shared finite existence, it aligns with Bataille's 'useless utility' of sovereignty. In this non-political sense, the key aspect of ontological sovereignty is a notion of physis that prevails through finite existence, potentially disclosing and concealing our communal status as *physei onta*<sup>767</sup>. This perspective is consistent with Heidegger's thought on radical difference and similarity, both framed by a shared emphasis on finitude. The intersection of ontological and political sovereignty lies in the persistent recourse to force, which stabilises interpretations that are to ground the precarity of vulnerable, finite beings.

Turbidity exemplifies how the success of stabilisation is measured against the risk of dispersal. Inevitably, once the suspension dissipates, the formerly consolidated fragments return to their state of fragmentation. Yet, even in this disintegration –despite the loss of cohesion– the communal dimension of existence remains exposed. The minimal ontological sediment revealed by the collapse of suspension is shared finite existence. Despite continuous political attempts to bracket or contain this communal existence, it asserts itself both through the turbidity of the suspension and its eventual disintegration.

Ontological sovereignty is the force that sustains suspension. This suspension both suspends –what I have called de-formalisation– and consolidates interpretations within a shared framework. What persists throughout the suspension is the recognition of shared finitude. In this sense, the only constant element within the suspension is finite communal existence. Turbidity and cohesion are intrinsic to the suspension– and the emphasis placed on either ultimately reflects a political decision.

Once ontological sovereignty dissipates and the suspension disintegrates, previous hermeneutical structures prove inadequate, necessitating renewed attempts at interpretation. Through these efforts, dispersal may emerge as a politically viable strategy –though no longer political in the conventional sense– as it represents one of the few political forms that persist without violent unifying force. Dispersal does not rely on a decisive political act or a hegemonic interpretation; instead, it reflects the condition that arises from the disintegration of a resolute posture or guiding narrative.

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<sup>766</sup> "The togetherness of singulars is singularity 'itself'. It 'assembles' them insofar as it spaces them; they are 'linked' insofar as they are not unified." (Nancy 2000a, p. 33).

<sup>767</sup> (Heidegger GA9, p. 261)

This aligns with Bataille's notion of a sovereign form that serves no purpose, as such disintegration cannot be lastingly translated into political utility<sup>768</sup>. In a limited sense, it marks the dissolution of an ontological-political narrative<sup>769</sup>. While this disintegration risks being reabsorbed into a strategy of cohesion, it also represents the constitutive moment where communal being is revealed, not as an epiphenomenon, but as an ontological starting point<sup>770</sup>.

Ontological sovereignty, along with its supplement –the ontology of suspension– demonstrates how existential strategies aimed at consolidating the violent sway of the world operate through forceful interpretative efforts. The sovereign act is thus a construction that functions through fragile cohesion. What is revealed, both through the dispersal and disintegration of suspension, is that shared finitude prevails, even as sovereignty collapses. In this sense, the failure of sovereignty accomplishes what it otherwise cannot, a shared grounding that persists.

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<sup>768</sup> (cf. *Accursed Share II/III*, p. 16)

<sup>769</sup> This marks the limits of *Aufrag* (disposition). At this point, Heidegger's *Aufrag* no longer facilitates *Aufragungen*. This is where his notion of disposition transforms into what Nancy catachrestically terms *dis-position* (cf. *Nancy 2000a*, p. 25).

<sup>770</sup> (cf. *ibid.* p. 59). When sovereign attempts at (self-)representation disintegrate, dispersed being – finite being– becomes most apparent (cf. *ibid.* p. 71). In this way, both the suspension and, more crucially, its disintegration, expose what Nancy refers to as “being-with” (*ibid.* p. 83).

## Conclusion

The uncanny [Ungeheures] is that out of which all that is ordinary [Geheures] emerges, that in which all that is ordinary is suspended  
Heidegger, Parmenides, §5, c)

But the contrast [opposition] is clearer, the play of elements is more intelligible when one gives extreme examples  
Bataille, The Accursed Share Volume I, The Peaceful Societies

The most extreme [äußerste] competencies, even a “competence to define competence”, are never in principle unlimited [unbegrenzt]  
Schmitt, Constitutional Theory, §12, 3. b)

In times of relentless confrontation, the chasm that separates the extreme or the uncanny from the ordinary seems increasingly unstable or indefinite<sup>771</sup>. Far from implying a generalisation of the extreme, which amounts to little beyond a shift in boundaries, these times nevertheless seem to demand a decisive stance. Against the background of such an observation, my reflections might appear as a distant, perhaps detached, contemplation of all but immediate concerns.

Contrary to this sense of detachment, my thesis has assessed the paradoxical situation from which the ‘need’ for the decisive arises, that is, how it always occurs at a limit that both mobilises and undermines attempts to decide how we proceed in situations of considerable uncertainty.

As the thesis has shown, politics imply a confrontation, an *Aus-einander-setzung*, as Heidegger notes<sup>772</sup>. The political, then, is a confrontation that concerns the setting (*Setzung*) that finite beings share. In this sense, politics involve a communal confrontation of the meaning and context of shared existence. Such a confrontation should avoid a homogenising gathering around a prevalent decision on our collective existence. One need only include Schmitt in this reflection to encounter the drastic exclusions or omissions that otherwise result from such unifying practices.

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<sup>771</sup> While the extreme and the uncanny are not coterminous, they nevertheless share a similar space in that they mark a distance from the regular, the normal, the ordinary.

<sup>772</sup> (cf. Einführung, p. 107)

What, then, is the less violent alternative to such communal attempts at confronting or determining shared existence? To reflect on this question, I suggested shifting the attention towards the structural and structuring dimensions of political form. For this, I chose the most centralising notion of the political-theoretical register: sovereignty. Without recapitulating the traditional understanding of this term, it suffices to reiterate that sovereignty, in its most limited sense, describes unimpeded authority within a clearly delimited context. This definition brings me back to the pressing demand of these times— a decisive stance.

In a sense, this demand has changed little, as this observation applies not only to Heidegger and Schmitt, and, to a lesser extent, to Bataille's concerns, but also remains relevant today. Beyond these thinkers, it is what is presumably required when faced with scathing social dissymmetry, calamitous bellicism, and the nihilist destruction of the planet. While these predicaments might be perceived as a call for another form of sovereign articulation, I proposed to correlate the question of sovereignty with a reflection on political form. This correlation allows addressing the formative tendencies and the disintegrative phenomena that correspond with sovereign articulation, force, or power.

Studying the constellation of ontological sovereignty and the ontology of suspension thus amounts to focusing on the existential dynamics that prompt political formation, suspend shared meaning, and dissolve communal structures<sup>773</sup>. The hasty correlation of politics and decisive action still affirms a negative anthropological assessment: when existence is inherently hostile, dominance —or, more or less archaic, survival— requires immediacy. Calls to resolute action thus frequently serve as a sedative that allows for the omission of the more contingent features of communal form<sup>774</sup>.

In this sense, one could focus on the other registers of Heidegger's *Aus-einander-setzung*: its disjunctive, fragmental, or elliptical dimensions. Adopting an expanded understanding of the confrontational dimension of politics —one that does not merely amplify its polemical aspects but extends its existential reach— clarifies that

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<sup>773</sup> The absence of decisive political forms thus harbours the capacity to theorise alternative strategies for political articulation— strategies that critically mobilise the fault lines of sovereign form. The ontology of suspension delineates the limits of suspensive political gestures and elucidates the structuring dynamics accompanying the dissolution of political forms.

<sup>774</sup> In studying Schmitt, the correlation of politics and decisionism is rarely disguised; it serves a tautological circularity of power where its continuity has to be perpetuated and where its legitimacy derives from mastering a self-serving logic.

political confrontation also entails a reflection on the meaning of existence. In Schmitt's kosmos, this meaning requires homogeneity, both to secure a notion of political order that functions beyond a strict rule of law and to establish his notion of political coexistence. For Bataille, such a confrontation assumes a more minimal yet equally decisive function: it potentially allows one to prevent catastrophe. Unlike Schmitt, Bataille acknowledges the constitutive heterogeneity of these attempts.

The importance of Heidegger's *Walten*, despite its aforementioned problems, is that it serves as a reminder of difference. While Heidegger has another function in mind, *Walten* nevertheless speaks of the elusive presence of Being. This absent presence prevails through existence, marking a shared existential predicament that is more originary than politics: finitude. Ontological sovereignty, as I have demonstrated through Heidegger's rigorous metaphysical reflections, thus speaks of a sovereignty more sovereign than ontic formations, it underscores the shared features that prevail throughout all beings.

This renders *Walten* an appropriate notion when studying sovereignty in a post-foundational context. As the absence of foundations has itself become a critical theme, politics often attempt to solidify a shared topos within an all but stable terrain<sup>775</sup>. Its instability serves as a rallying cry where foundational absence is seamlessly associated with imperilled life-forms. Heidegger's, Schmitt's, and Bataille's thinking all share this political concern: they attempt to consolidate what they perceive as oblivious, unpolitical, or excessive<sup>776</sup>.

Politics, alongside a confrontational dimension, which may or may not critically reflect on its disjunctive capacity, engages in consolidation. A comparison of Heidegger, Schmitt, and Bataille, exemplifies three different attempts at existential consolidation. These examples have allowed me to shift my attention from politics tout court to what I suggest should be understood as ontological politics<sup>777</sup>. Such forms of political articulation move beyond an ontic interpretation of common existence and

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<sup>775</sup> Instead of suggesting a politics of finitude, these attempts most often essentialise a certain narrative of the common.

<sup>776</sup> The uncanny, the exceptional or extreme, and the excessive thus prompt these thinkers to engage in a minimal stabilisation. While such stabilisation, however precarious, might be a necessity of thought, it is also political. For Heidegger, resolute individuals have to confront the prevalence of the world and draft interpretations that allow beings to gather around shared meaning. Schmitt suggests a state of exception as the most suitable context to rejuvenate communal 'units' that lack a decisive political form. For Bataille, beings are immersed in a state of exaltation that reflects ontological excess. In his case, the political task is to reduce catastrophe.

<sup>777</sup> Such ontological politics move beyond an ontology of the political by prescribing a certain direction.

engage in reflections on the ontological dynamics that shape, and (de)stabilise the communal.

For these thinkers, the withdrawal of foundational certainty or solidity necessitates a suspension of accepted meaning. This suspension allows for the reconstruction or reassembly of new political responses to existential instability. Bataille's state of exaltation, like Schmitt's state of exception, are strong syntagmatic metonyms of this suspensive capacity, correlating with the disintegration of foundations.

I largely insisted on the insufficiency of conventional notions of sovereignty, whose focus is on questions of political or legal authority, the structure of decisions, or the confrontation between normative constructs. These perceptions neglect the extent to which sovereignty serves to consolidate the unstable tendencies of existence that form the fleeting foundations of communal forms. My ontological critique of sovereignty considered what sovereignty *is* rather than how it is exercised.

While the present moment might call for a decisively resolute stance, such a call is also misleading. It emphasises the consolidating function of the political without questioning the political topos as such— that is, its constitutive absence. From the perspective of this thesis, such absence does not imply the need to construct fleeting, hegemonic foundations but rather the requirement to question this absence itself. It is particularly through this questioning that the communal features of existence can be addressed. These features are not pre-political, but they allow one to retrace the need for political questioning<sup>778</sup>. More importantly, it enables recourse to a notion of the communal that operates without the constitutive requirement of homogeneity. This is what I interpret as the differential capacity of Heidegger's *Walten*.

Beyond his emphasis on a violent domain of existence that requires decisive or resolute individuals to respond to its sway, I perceive *Walten* as a reminder of the transient dimensions of ontic sovereignty. Thus, *Walten* formally indicates the persistence of another form of political questioning that exceeds the study of that domain. It is symptomatic of Heidegger's thought, where he still operates under the purview of presence, albeit at a certain distance, and might prove itself a decisive term in philosophical-political analysis.

Its differentiating or disjunctive capacity indicates that political articulation can potentially move beyond a political topos that relies on the consolidating emphasis of

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<sup>778</sup> (cf. Nancy 2000a, p. 37)



the same. Contrary to Heidegger's intention, ontological sovereignty, as conceptualised through Walten, thus exposes or unconceals shared finitude and relationality. This is largely commensurable with the polymorphism that ontic assessments of sovereignty tend to emphasise<sup>779</sup>. In this sense, the confrontation of Walten, understood as the questioning of prevailing notions of Being, gives rise to different political projections (Entwürfe) based on varying interpretations of existence.

What renders such projections sovereign is the attempt to consolidate the forceful absence that results from the dissolution of foundations. This brings me closer to summarising what I have termed the ontology of suspension. Ontological sovereignty and suspension are supplementary. Suspension serves as the differential medium through which sovereign projects gain traction. Schmitt is a lucid commentator of these supplementary dynamics. While I disagree with his deductions, he nevertheless understands that the deformalisation or deconstruction (Abbau) of foundations is the most opportune moment for political form to be reassessed<sup>780</sup>.

I took Schmitt's reflections on the exception as a starting point to theorise a broader notion of suspension. For me, the suspension represents a suitable dynamic for studying the phenomenon of political consolidation. This is because gestures of consolidation inherently require it. For shared political meaning to be established, solidified, or stabilised, previous constructions must be suspended. Such a suspension, and this is why I speak of suspension and not annihilation or destruction, is never seamless. It leaves the traces of past constructs legible. Otherwise, more or less problematic references to ancestry, history, or tradition would be futile.

In this sense, the suspension describes the practice of dissolving previous political constructs while actively keeping their comprising elements suspended. The force, or violence, required to perpetuate such suspensions can be considered sovereign— at least if one minimally agrees with Schmitt. Why is suspension a suitable descriptor for sovereignty in times philosophically characterised by an absence of foundations?

A suspension engulfs its comprising elements in a precarious mixture. Without continuous agitation – that is, sovereign force— the comprising elements settle or

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<sup>779</sup> While sovereignty is indeed aporetic and polymorphic, both its aporias and polymorphism are reducible to a single observation: sovereignty serves to consolidate interpretations of existence in contexts where such interpretations no longer provide stable grounding.

<sup>780</sup> Here, I ignore Schmitt's partial emphasis on deconstruction, as I developed it in Chapter II. Schmitt seeks to harness an interpretation of political Being to stabilise a specific form of existential political project.

sediment, and the suspension dissolves. To maintain suspension, force, whether interpreted as violence or not, must be maintained as well. Whereas a political form, be it a state, a party, or a less centralised entity, may manage to sustain itself over time, sovereignty assumes only a fragile stabilising function.

The suspension not only engulfs its comprising elements within a shared ensemble, mixture, or unit but also prevents these elements from acting as a ground for efforts at political consolidation. As a result, sovereignty cannot provide the stability it is envisioned to secure<sup>781</sup>. For me, this represents the crucial aporia of sovereignty: the same force that engulfs beings in an effort to consolidate political existence prevents this consolidating act from establishing a lasting foundation<sup>782</sup>. It is thus the sovereign act itself that sustains the questioning regarding the absence of foundations<sup>783</sup>.

A sovereign suspension is insufficiently considered without the turbidity it implies and the dispersal in which it might result. While it holds the promise of any sovereign act, suspension can never end in metaphysical closure<sup>784</sup>. In a post-Heideggerian context, such closure has largely been deconstructed. Nevertheless, as has become apparent throughout my interpretation of Schmitt, the associative promise of a 'we' and the dissociative need of a 'they' remains a structuring political feature. This is another reason why I perceive the analogy of the suspension as suitable. While a suspension might unify, such unification is always turbid, unclear, and inconclusive. Once a suspension dissolves, the comprising elements disperse.

While Schmitt largely ignores this dimension of his theory, Bataille embraces it. He articulates the constitutive heterogeneity of any relational context. What he terms an ensemble represents unstable political communities that confront a violent play of energy. He insists that violent excess requires a communal response. For him, turbid or dispersed ensembles are not obstacles to political action but its requisites. In a certain sense, Bataille thus theorises the other side of suspension. This dissociative side does not correspond with Schmitt's antagonist notion of political action but

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<sup>781</sup> Such stability, as referenced in my introduction concerning U.S. politics, can only be the result of a hostile stance backed by martial force.

<sup>782</sup> As suggested in the introduction, I do not regard this aporetic dimension as a justification for abandoning the conception of sovereignty. While it might lack the required nuance for more thorough analyses of dominance and repression, it continues to structure political existence. More precisely, the tension it reveals is indicative of the political tension itself: this time perceived as fluctuating interpretations of the contingent foundations that ground a political community.

<sup>783</sup> As in Heidegger's abyss or *Abgrund*, the absence of presence represents the clearing to confront this absence.

<sup>784</sup> Such closure would imply self-identity, ipseity.

represents an important propaedeutic to thinking other forms of political association. These forms must withstand difference without attempting to subsume such difference within a common interpretation of the 'we'.

Bataille's heterogeneous ensembles posit, and confirm, the ontological fact of relational coexistence and suggest another 'use' of the political suspension<sup>785</sup>. To a limited but relevant extent, Bataille detaches ontic sovereignty from decisionism. Akin to Heidegger's treatment of *Walten*, the ontic sovereign reflects ontological questions. However, unlike Heidegger's resolute individual, Bataille's sovereign ensemble does not suggest a decisive projection (*Entwurf*) around which a dissociative community gathers. Even if such a community were to form –one that engages in Schmitt's antagonist politics– Bataille continues to alert it to its disjunctive capacity.

Once a suspension dissolves, the comprising elements settle or sediment (to remain consistent with this diachronic dictum) into separation. When the confrontational dimension of a political form fails to sustain its shared framing and its agitating force subsides, the form dissolves. This disjunctive moment –again, epitomised by *Aus-einander-setzung*– reveals a formlessness that remains informed by previous traces. Once the suspension dissolves, political form –or rather, formlessness– is reduced to its ontological minimum.

It is thus the failure of a sovereign project, projection, or form that unconceals the liminal remainder that engulfs beings in shared meaning. The dissolution of the suspension is the moment when aporetic sovereign tension –i.e. the futile attempt to ground a context in groundlessness– is informed by the pre-political dimensions that shape political existence. Once suspension dissolves, finitude persists, not as an elusive presence but as an active reminder. As I insisted above, *Walten* remains this reminder, operating as a prevalent tendency that structures (pre-) political interpretation.

The formless limit of the failed sovereign decision is finitude<sup>786</sup>. Political formlessness, as I perceive it, is epitomised by the acknowledgement of this existential

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<sup>785</sup> In an attempt to differentiate between ontic and ontological sovereignty, Bataille mockingly describes sovereignty as 'useless'. The perceived uselessness derives from the observation that any sovereign entity cannot but serve within an ontological context of excess. Nevertheless, the utility that Bataille attributes to the useless sovereign lies in the capacity to suggest alternative means or interpretations through which excess can be dispelled. Unlike Heidegger or Schmitt, Bataille proposes a communal sovereign that attends to the principal task of preventing catastrophe.

<sup>786</sup> Inevitably, this limit makes itself apparent. It is not necessarily through Heidegger's resolute individual, Schmitt's political unit that understands the function of hostility, or through Bataille's heterogeneous ensembles that finitude becomes the common denominator of (political) existence.

limit. While such a conclusion might, at the present moment, do little to dispel the violent circularity of the political –where the ‘threat’ of confronting formlessness is deferred by projecting ever-more archaic sovereign formations– it nevertheless marks the constitutive but unstable connection between existential thought and political articulation<sup>787</sup>.

These boundaries are unstable, and I do not seek to conclude this thesis by alluding to the need for more philosophical politics. Rather, it suffices to insist that philosophical-political reflection may be required to address this divisional limit, where finitude prevails through political interpretations and where the political act tends to disguise rather than unconceal this limit.

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Rather, it is the failure of sovereignty that marks this threshold– a threshold that does not stabilise but remains an elusive marker of relational and finite beings.

<sup>787</sup> While this thesis may not offer strategies or practices to resist those formations, it enables one to understand what exceeds their allegedly sovereign grasp on existence and why attempts to achieve a homogeneous order inevitably encounter limits that affirm the heterogeneity that initiates and withstands any ordering process. It reminds one why sovereignty is never reducible to its political instantiations and therefore could always be otherwise.

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