

**THEORY OF THE PARTISAN: INTERMEDIATE  
COMMENTARY ON THE CONCEPT OF THE POLITICAL**  
(CARL SCHMITT)

June 21, 2019

This is a book born of a particular time and place. The time was 1962; the place was postwar Europe. The West was frozen in the glare of spreading Communism, paralyzed by the catastrophic end of the old European system and wholly uncertain of the path forward. Since that time, the ice has broken and the West has lurched back onto the track—the wrong track, as it happens, but that’s not what we’re talking about today. Instead, we’re talking about what *Theory of the Partisan* says to us in this time and in this place.

As befits its origin as a set of lectures, *Theory of the Partisan* is not a major work. Instead, it is an application and explication of one of Carl Schmitt’s core lines of thought, the friend/enemy distinction, fully developed in his classic earlier masterwork, *The Concept of the Political* (which I have not yet read). That book is about enemies, enmity, and how it is that only through a politics of realism that enmity can be adequately limited, in order to avoid catastrophic conflict. The relatively narrow scope of this book does not diminish its interest, however, and it has much to say about the modern situation of irregular warfare.

Schmitt begins by examining what he regards as the first modern partisan conflict—that is, a conflict in which partisans confronted a modern army fielded by a modern state. This was the guerrilla warfare during the Peninsular War after Napoleon’s invasion of Spain, from 1808 to 1813. While “partisan” in general terms is any fighter who represents a party, Schmitt says that if a partisan is defined as someone who engages in irregular warfare, for him to be truly manifest there must be regular warfare, and that only arose during the wars of the French Revolution. Prior to that, there was intermittent regularity of war, and intermittent attempts to create rules of war, but those only became regularized and universal in the nineteenth century (in Europe; Schmitt expresses no interest in the rest of the world, though obviously such rules have never existed anywhere but the West). Thus, the partisan in the core sense that matters for this book could not exist before 1800.

In Spain, the legitimate authority did not create the partisans; in many ways the Spanish elite cooperated with Napoleon. The partisans were a spontaneous, decentralized movement with many small-scale groups and leaders. More specifics of the Spanish partisans don't really matter, and are anyway hard to determine at this remove. What matters is that they existed, the first to dare to resist a nation in arms. It was in part due to them that the Congress of Vienna created the modern rules of war, which rejected granting any legitimacy to partisans as a class. They were either a somewhat irregular type of soldier, but entitled to the protections of soldiers nonetheless, or simply bandits and outlaws, literally outside the law. The partisan is thereby "bracketed," an embodied manifestation of enmity between two incompatible visions of the world, and such enmity necessarily tends to spiral upwards in intensity. And that is what we have seen, to the present day (1962), from Napoleon's harassment by partisans in Russia to French war with partisans in Indochina, exacerbated by other changes in society, particularly technological changes.

In order to fully grasp and discuss the partisan, we must fully define the partisan. First, he is an irregular fighter, not in uniform and not necessarily openly carrying a weapon. This is the starting point of departure from regular forces. Second, he is politically engaged, not a "thief or criminal," although what that means can range greatly, depending on the politics of the moment, up to and including partisans who are better organized, due to party organization, than regular troops. That is, an irregular fighter is not a disorganized fighter. Third, he is mobile; his fighting demonstrates "flexibility, speed, and the ability to switch from attack to retreat." With modern technology, including motorization, this characteristic becomes especially important. Fourth, he is "telluric," meaning basically defensive and tied to the earth, not an ideological revolutionist whose fighting is wholly abstracted from location. Thus, he is neither pirate nor corsair; sea is distinct from land (an abiding fascination of Schmitt's later work). He agrees with Joan of Arc, "I do not know whether God loves or hates the English; I only know that they must be driven out of France." His is a "fundamentally defensive position." These third and fourth characteristics are in tension; too much mobility, and especially mobility dependent on a greater power, and the partisan is merely a tool of that power, not a partisan.

This definition also implies that mere resistance, or non-conformity in opposition to the ruling power, is not being a partisan. Thus Ernst Jünger's forest rebel, or his anarchist, is not a partisan.

Schmitt notes that international (i.e., European) law has always lagged behind events when creating and updating formal structures to deal with partisans. The latest iteration of formal rules of warfare, the 1949 Geneva Conventions, addressed in practice the resistance movements of World War II, not the qualitatively different partisans of Mao Tse-Tung or Fidel Castro, and did not materially address that most partisans of the time wholly lacked any of the indicia of regular troops. In effect, therefore, the Conventions treated partisans as outside the protection of the rules of war. True, "organized resistance movements" theoretically were granted the "rights and privileges of regular combatants," but what did that mean if the old rules requiring "organization," such as openly carrying weapons and showing identifying badges of rank, were still in place, especially given modern changes in technology? Schmitt often cites, as indicative of modern differences in partisan warfare, the 1957 Swiss *Everyman's Guide to Guerrilla Warfare*, by Hans von Dach (published today as *Total Resistance*, and popular with certain subsets of Americans, on the Left and on the Right). The net impact of updating rules is probably that the partisan is more likely in the future to be regarded, abstractly and technically, as "legal," but that does not change that occupying powers in an international conflict will still be justified in repression of the partisan in a manner little different than before—namely, as a criminal.

Finally, Schmitt places this discussion in the context of his critical distinction, found in *The Concept of the Political*, that between friend and enemy. In the type of conflict that Schmitt sees as both natural and inherently limited, open, recognized enmity based on political differences leads to conflict, which must be resolved, if necessary through war. But that war is not an ideological war (where ideology means, in James Burnham's words, "a more or less systematic and self-contained set of ideas supposedly dealing with the nature of reality . . . and calling for a commitment independent of specific experience or events"). Instead, it is limited by being directed to political ends, which, if satisfied, lead to termination of the war. Not so with ideological war, a modern phenomenon, where the enemy is criminal, and the goal therefore

his permanent and total destruction. In non-ideological conflicts, the partisan is viewed by both sides as a criminal, outside the protection of the law, even if he is useful to one side. In ideological conflicts, in contrast, the partisan is viewed as a hero by one side, since he executes righteous judgment on the *real* criminals, the enemy. There is a "just cause," but no longer a "just enemy," and the partisan becomes a central figure of war. In this environment, law and rules such as the Geneva Conventions, with their "many discretely stylized compromise norms," "appear only as the narrow bridge over an abyss." This is a variation on Schmitt's complaint that rejecting that enmity is natural and inevitable paradoxically makes war more terrible, since no legitimacy can be ascribed to an ideological enemy at whose feet the unnecessary existence of enmity is laid.

Schmitt then turns to how the theory of the partisan has developed over time. He regards as crucial the change of partisans from self-generated, politically flexible groups to deliberately birthed political organizations. The ideology he identifies that made this possible, though, is not, as one might think, one of the modern Furies. Rather, Schmitt identifies the French Enlightenment, as embodied in the Prussian elite, as the ideology, and the time very precisely: April through July, 1813. In April of that year, a royal Prussian edict was formally promulgated and distributed, demanding the most extreme partisan activity against the invading French. Public order was to be destroyed; mobs were encouraged; reprisals and terror were to be order of the day. The Spanish guerillas, who were fantastically brutal (as were the French in their counter-partisan warfare) were held up as exemplars of behavior. "In short, this document is a Magna Carta for partisan warfare." Schmitt regards this edict as the first "official document of a legitimation of partisans for national defense." He is, of course, in the entire corpus of his life's work, very focused on legitimacy, of rulers and of decisions, so this analysis is not surprising. In the French Enlightenment atmosphere of Prussia's rulers, "which united an aroused national feeling with philosophical education, the partisan was discovered philosophically, and his theory became historically possible." It does not matter that none of the asked-for partisan activity actually happened and that the decree was rescinded three months later. By this decree, the partisan became a political actor, and the theory of the partisan as political was then

developed further by Carl von Clausewitz. "One could say that [the partisan] had become philosophically accredited and socially presentable."

The logical and historical result of this line of thought was Lenin, who, unlike other Communist revolutionaries, "recognized the inevitability of force and bloody, revolutionary civil war and state war, and thus also approved of partisan warfare as a necessary ingredient of the total revolutionary process." Lenin studied Clausewitz, "and what he learned painstakingly, was not only the famous formula of war as the continuation of politics. It was the further recognition that the distinction of friend and enemy in the age of revolution is primary, and that it determines war as well as politics. For Lenin, only revolutionary war is genuine war, because it arises from absolute enmity." This implies that there is an absolute enemy; the partisan was, in Lenin's view, "the strongest negation of the existing capitalist order; he was called to be the true executor of enmity." The irregularity of the partisan expands from lacking uniform and badge to rejection of the entire existing political and social order, and along with that expansion limitations on enmity are removed.

The destruction wrought by this reformulation was inconceivable to those who built the modern European order at the Congress of Vienna, or their successors who wrote documents like the Hague Convention or the Geneva Conventions. Schmitt ascribes only to Joseph de Maistre foresight of what Lenin would do, create "an alliance of philosophy with the elemental forces of an insurrection." Here Schmitt appears to implicitly contrast philosophy with the telluric content necessary for true partisans, implying a divorce between the two. But Lenin was the beginning, not the end; he made the partisan "a key figure of world history." Stalin succeeded in reuniting the telluric character of partisans with the political aspect of the Communist world revolution. Mao Tse-Tung did the same, even more so, and furthered it by reuniting partisans with the Prussian principles of Clausewitz, both with respect to partisans and of embodying the nation in arms. For Mao, enmity could no longer be limited; "peace today is only a manifestation of real enmity." Mao is the inevitable conclusion of combining the theory of the partisan, ideological enmity, and modern technology.

This poses immense problems for Westerners, who are wedded to rules designed to hem war about with limits. This conflict was embodied

in a French general, Raoul Salan. Who, you say? Salan was the leader of the OAS—not the Organization of American States, but the *Organisation Armée Secrète*, the Secret Armed Organization, the politico-terrorist arm of the Algerian French who perceived (correctly) they were being abandoned by Charles de Gaulle, immediately before the time Schmitt was writing. Salan was a “left Republican,” entirely devoted to the secular French nation, the most decorated soldier in the entire French army, including five times receiving the *Légion d’honneur*. When, in 1958, after serving against partisans in Indochina, he was named commander of French forces in Algeria, he came up against the partisan warfare of the FLN, the nationalist/Islamic/socialist/pan-Arabist umbrella group for anti-French insurrection. In Salan’s view, he was merely meeting terror with terror, even if that terror was executed in part in France itself. Salan commanded 400,000 soldiers, yet lost to 20,000 partisans, and lost Algeria, where a million Frenchmen lived in their native land. The OAS was his last throw; he did not apologize, and remained mostly silent during his trial, after which he was condemned to death (though his sentence was commuted, and he was pardoned in 1968). Schmitt’s point is not to comment on the justice of either side of the Algerian war, but that the iron and inevitable logic of modern partisan warfare was a “strange paradox” with an “insane logic, which could embitter a brave and intelligent man and drive him to attempt a counteroffensive.” Salan followed the logic of the situation in which he found himself, and thus he himself was transformed into a partisan, since “with a partisan, one fights like a partisan.” “He appealed to the nation against the state, to a higher type of legitimacy against legality.” In other words, the modern West finds it unable to deal effectively with partisans; we do not understand them and we can no longer fit them into a relatively neat pigeonhole in a book of rules. The result is either defeat or bizarre mutation.

This is Schmitt’s lead-in to a more detailed analysis of the modern situation, or what was modern in 1962. First, the “spatial aspect” is new. The partisan, his abilities enhanced by modern technology, has a greatly expanded range of action in space, which allows (as in Algeria) a multiplication of force and effect. Second, there is destruction of social structures; the expanded power of the partisan allows a non-public sphere to develop within the *res publica*, which erodes the commonwealth

and makes it unable to respond effectively. Because “a few terrorists are able to threaten great masses . . . [w]ider spaces of insecurity, fear, and general mistrust are added to the narrower space of open terror, creating a ‘landscape of treason.’ . . .”

Third, Schmitt recurs to the erosion of the telluric character of the partisan, and his frequent absorption, to a greater or lesser degree, into a global struggle, no longer defensive or tied to a specific locality. This is especially true if there is an “interested third party,” as Stalin was to the Yugoslav partisans. Such third-party support is attractive to partisans, because it helps them to become recognized as regular enough to not be criminals, but it clouds who is a partisan at all. Fourth, and very important, Schmitt rejects that modern advances in the “technical-industrial aspect” make partisan warfare obsolete. On the contrary, technology advances the range of the partisan, as well as his capabilities—even up to “means of mass destruction,” a prescient foresight of modern fears. Technical progress, in fact, will “only intensify the old questions.” And thus, Schmitt’s conclusion is that these changes mean “The theory of the partisan flows into the question of the concept of the political, into the question of the real enemy and of a new *nomos* of the earth.”

There has been a lot of water under the bridge, sixty years’ worth, since 1962. In Schmitt’s time, as a consequence primarily of global Communism, partisan warfare had taken on, as he acknowledges, the characteristics of proxy war, blurring what it meant to be a partisan. But Communism is dead and gone; there are no relevant partisan wars based on Communism. Even splinter groups like the Shining Path in Peru have been crushed or have abandoned the struggle. Those who claim to be Communist, like the government of Cuba, are merely thugs and looters, who no longer support ideological struggle outside their country. That does not mean partisans are gone. The most important manifestation of partisan warfare since 1991, at least with respect to the conflict of partisans with regular forces and organized states, is the warfare conducted against the United States forces occupying Afghanistan and Iraq during the past twenty years. What does Schmitt’s framework say to us of this?

We should distinguish between “terrorism” and “insurrection” in this context. This is difficult, because those in favor of endless war are also in favor of propagandistically casting all resistance to whatever

exactly it is we are trying to do in the Middle East as “terrorism,” since if that characterization is accepted, all opposition, foreign or domestic, is viscerally and necessarily illegitimate. But most violence directed at the United States in the Middle East, or at its finger puppets (the governments of Iraq and Afghanistan), or at its junior partners (Britain, etc.), is in fact partisan warfare, not terrorism. The distinction between terrorism and partisan warfare lies primarily in targets; any military target is by definition a partisan target. I am not expert enough in the details to say how blurry that dividing line is, but I suspect in practice it is pretty clear, and that most of those cast as terrorists are actually partisans. One man’s terrorist may not be another man’s freedom fighter, but one man’s partisan usually is another man’s freedom fighter.

Certainly, there is plenty of terrorism on offer in the Middle East, but its targets are civilians in those countries, and often it is the result of rivalries, religiously based or other, that have nothing to do with the United States (other than we have so destabilized the region as to allow these rivalries to explode into violence). And to the (extremely limited) degree that partisans in the Middle East credibly threaten terrorism in the United States, it does not change that their primary goal is partisan warfare to achieve partisan goals, not terrorism. (Actual Muslim terrorism against Western targets, on display primarily in Europe, is a phenomenon resulting primarily from poor choices of whom to admit to Europe, and is not partisan warfare in any way, but I will not discuss that here.)

It is not necessary to fully map all Middle Eastern groups organized for violence onto Schmitt’s typology of the partisan, although it’s interesting to note that in many ways Afghani irregulars are a perfect fit for the older type of partisan, most of all in their telluric character, not focused on absolute enmity but on views like those of Joan of Arc (though they would doubtless say God does favor them). Others are the perfect fit for the newer type of partisan; their actions are structured around a globalist ideology, but that ideology is not one Schmitt considered. It is of Islam combined with pan-nationalism, with different groups offering different combinations, from the Kharijite visions of ISIS to the quasi-Leninist ideology of the Muslim Brotherhood. Through these ideologies, they offer absolute enmity to the West, but one based on something different than Communism. Yet Schmitt’s analysis holds



up completely, as does his prediction of how partisan warfare will continue to develop under new, modern circumstances. Perhaps reflecting on Schmitt, and recent history like that of Algeria, would have saved George W. Bush, and our nation, from grief. But I'm pretty sure that nobody in the Bush administration studied Schmitt, or any other relevant thinker. Books are hard. Too bad.

OK, so that's the Middle East, and it's a mess that shows little sign of becoming neater. But what does Schmitt's talk of partisans have to say about our own country, in our own country? At first glance, little, since there are no partisans in the United States. Even though quite a bit of low-level violence is directed by the Left against the Right, and it's growing, it lacks all the indicia of partisan warfare. But if one examines Schmitt's contention that to limit the damage from conflict it is critical to acknowledge that one has enemies, and they are legitimate enemies, not criminals, one sees trouble ahead. For example, the pop singer Taylor Swift this week released a video explicitly and deliberately showering hatred and contempt on anyone who does not sign onto her political vision, in this case with respect to unbridled sexual freedom (although that's merely a manifestation of a much broader political position), deeming any disagreement with her beliefs wholly illegitimate. To some extent, this would not surprise Schmitt; he was all about each community recognizing, as a political group, who is friend and who is enemy. I am Swift's enemy; she is mine. However, unlike me, Swift denies that enemies can be legitimate. In this, she is like Lenin, only a lot dumber. She sees me and mine not as mere enemy, but as evil and criminal—in Schmitt's words, “a monster that not only must be defeated, but also destroyed.” She offers not enmity, which can be resolved without extermination, but absolute enmity, what is characteristic of modern ideological partisans (and is probably the necessary end stage of Enlightenment thinking). Like Lenin, she would gladly have me killed, to accomplish her ideological goals. I, on the other hand, merely think that if we cannot get along, someone will have to rule, and better me than her. And if we need to be separate, that's fine too, though difficult to administer in practice. (Perhaps she can live in northern Saskatchewan, in the new state of Taylorstan.) Swift and her coven of feminized men and masculinized women are not illegitimate,

just wrong—about everything, to be sure, but that does not make them monsters.

So far, Swift does not need to kill her enemies as dictated by her ideology since she has the elites in government backing her position and power, in order to increase both. So far. As Schmitt clearly delineated, partisan warfare is no longer limited to that arising in reaction to foreign invasion, but can arise on the basis of political philosophy, including ideologies, but also, as I note above, including other belief systems. Many a civil war, examined in this light, has started as partisan activity. Thus began the American War of Independence, in the Gunpowder Incident, Lexington, and Concord. And in its nature, partisan warfare against internal enemies with authority is like Shakespeare's definition of treason—success brings legitimacy. Partisan warfare is a form of rebellion, and rebellion is wholly justified under some circumstances, none existing just yet but many far from unimaginable. Looking at America today, Schmitt would no doubt chuckle grimly, and reiterate that where there are enemies, there must ultimately be a resolution, and a political solution, which is to be desired, is essentially impossible with those who have absolute enemies.