

CARL SCHMITT

The End of Law

WILLIAM E. SCHEUERMAN

ROWMAN & LITTLEFIELD PUBLISHERS, INC.
Lanham • Boulder • New York • Oxford

CONTENTS

Acknowledgments	<i>xi</i>
Introduction: Why Carl Schmitt?	<i>1</i>
PART ONE: THE JURISPRUDENCE OF LAWLESSNESS	
1 The Crisis of Legal Indeterminacy	<i>15</i>
2 The Decay of Parliamentarism	<i>39</i>
3 The Critique of Liberal Constitutionalism	<i>61</i>
4 The Total State	<i>85</i>
5 After Legal Indeterminacy?	<i>113</i>
6 Indeterminacy and International Law	<i>141</i>
Epilogue to Part One: Carl Schmitt in the Aftermath of the German Catastrophe	<i>175</i>
PART TWO: CARL SCHMITT IN AMERICA	
7 Carl Schmitt and the Origins of Joseph Schumpeter's Theory of Democratic Elitism	<i>183</i>
8 The Unholy Alliance of Carl Schmitt and Friedrich A. Hayek	<i>209</i>
9 Another Hidden Dialogue—Carl Schmitt and Hans Morgenthau	<i>225</i>
Conclusion: After Carl Schmitt?	<i>253</i>

Notes	257
Index	339
About the Author	345