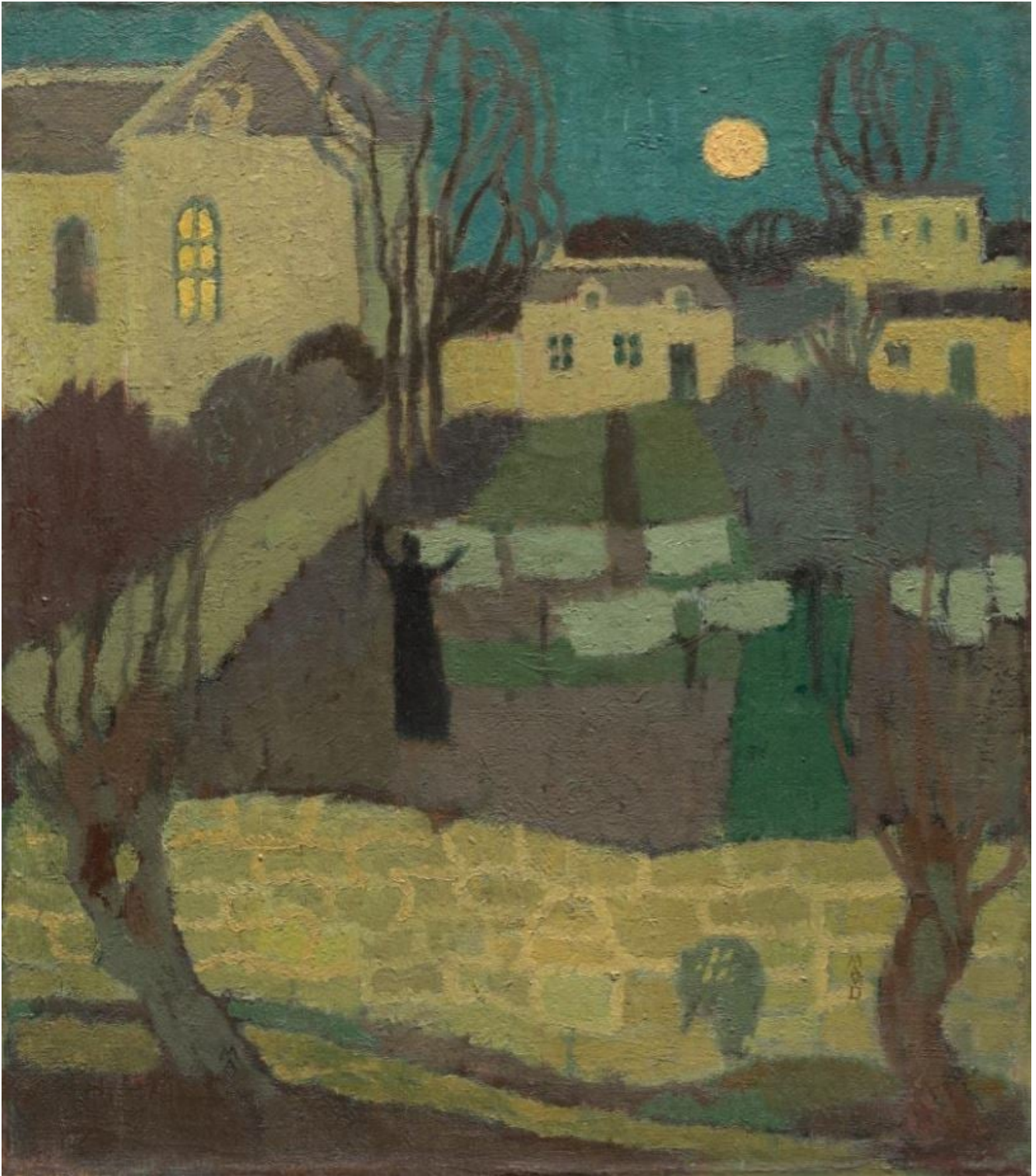


# The New Nomos of the Earth: The Rise of Federal Populism

by [Brian Patrick Bolger](#) (November 2022)



*Moonrise at the Priory*, Maurice Denis, 1894

The consensus amongst liberals in the 1990s and, arguably, since Adam Smith, was a belief in the 'de-territorialisation' of the world. This was the belief that globalisation was a force for good, an economic version of Christendom, that the invisible hand of the market would produce benefits on a global scale. The dawning on humanity that globalisation, rather than liberating the biopolitics of the world, has produced a win-win for a 'knowledge class,' which is the antithesis of neoliberalism. The existing 'nomos' of the earth, rather than being of economic determinacy, is 'value' driven. The liberal credo is one of using human capital, not in the sense of a Marxian surplus value exploitation in the factory, but an all-encompassing one-dimensional ordering, where the 'political' enters all aspects of life. Each historical epoch has a 'Katechon,' the power to hold back the tide of the anti-Christ, and this, having been Christianity, is now the 'corporate-state elite-university' complex. Liberalism being the 'moral' successor to Christianity. The Roman Empire, under Christianity, became a 'Katechon' –to preserve God's realm from being delivered to the antichrist. Likewise, the 'Age of `discovery' and Columbus' journey to the New World was, ostensibly, a means to protect the Christian Empire from the threat of Islam-their 'antichrist.' Carl Schmitt<sup>[1]</sup>, writing post World War II, believed the era of Europe was over and that liberal democracy had 'economised' the state. Consequently, the nomos became the neoliberal extension of the economised liberal democratic state–towards a global hegemony, in globalisation. The antichrist was anything which opposed it–whether Islam or revolution. However, the realities of a globalised world and the basis of the new Nomos—a resource-based convergence to civilisational states–has reversed this process.

In 'Dover Beach,' the poet Matthew Arnold, in the nineteenth

century, lamented the ebbing of the sea of faith which had ceased caressing the shores of the world. Now is 'the melancholy, long, withdrawing roar, retreating, to the breath of the night-wind' [21]. This ebbing tide was replaced by liberal humanism and then neoliberalism. The 'Nomos' of the earth derives from the Greek word meaning the law governing the settling of land, the cultivation of land and the extraction of profits from the land. This 'Grossraum,' as Carl Schmitt [31] called it, encompassed, not the maps of nation states but the area of resource determination. Consequently, the idea of 'civilisational states' becomes the 'Nomos' which is surrounded by the embryonic international law. The nation state had replaced the historical era of the empire; from imperial Rome and the 'República Christiana'. It could be seen that the modern era of the neoliberal world represents a form of 'Grossraum'. For what pervades a Grossraum, or perhaps a civilisational state, is its homogeneity. In fact, the new Nomos of the world will depend on the titanic struggle between the two concepts—firstly, the nation state in a globalised economic bloc and, secondly, the empire building 'Grossraum' or civilisational state. Schmitt had predicted the differentiated Grossraum of competing empires and this can be seen in the resource competition areas of land, sea, air and technological realms. Technology and cyberspace are the new realms of controlling and policing the 'Grossraum.'

The re-emergence of empire building civilisational states is concomitant to and engineered by its opposite: the dissonate and heterogenous fragility of the liberal democratic model. The reason for the splintering of the liberal diaspora is fourfold: that the telos of the 'Republica Christiana' was replaced by a secular credo of 'individualism' in a sea of anonymity. It stresses free speech and 'rights' although these are increasingly constricted, but, regardless, they represent negative possibilities and no cultural consensus. This has been accelerated in the modern era as human capital is further deracinated from the social and cultural environment—the

individual is uprooted, homesick. The recent movement of democratic states such as Sweden and Italy towards a traditional, family-oriented consensus has shown itself as directly opposing the diversity model of the EU. Therein lies the second contradiction of the liberal democratic model—the ‘democratic’ aspect is destructional, in that a majority populist vote (i.e., a democratic one such as Italy) is devouring ‘representative’ liberal democracy, Kronos like, from within. In the liberal elites’ model of representative democracy, however, only votes which remain within the liberal spectrum are respected or even tolerated. In a utilitarian sense, liberalism has become dysfunctional. The third reason is that liberalism also must be understood, not as a neoliberal economic philosophy, but for what it is—a ‘revaluation of all values’ [4]. Liberalism, as the moral successor to Christianity, has inverted itself. Since the English Revolution and Cromwell, the economic determined the political i.e. the representation of powers and interests. But now the new need for liberal global legitimacy has produced a ‘corporate-state elite-university’ knowledge class—a ‘clericaldom’ of liberalism. They do not produce, manufacture, but administer a values-based system at odds with practical or populist populations. It is the final stage of Kantian morality transformed into practical reason. The value hierarchies of regimes, of Cromwell (The ‘Protectorate’), Robespierre (the ‘incorruptible’), Marxism (‘equality’) becomes, for modern liberalism, a religion of ephemeral ‘rights’ and the ‘market.’ However, it is the ‘Hollow Men,’ the ‘Wasteland’ of profundity, a mass of anomie and isolated individuals. As Zarathustra lamented:

*Free, do you call yourself? Then I would hear your ruling thought, and not merely that you have escaped from a yoke. Are you one of those who had the right to escape from a yoke? Many a one cast away his last worth when he has cast*



*away his servitude. Free from what? What does that matter to Zarathustra! But your fiery eyes should tell me: free for what? [5]*

Finally, the nation states of Europe contrast a schism between the 'culture' state and the 'liberal' state. Nations such as the United Kingdom and France profess liberal ideals; global human rights, globalisation, immigration and ethnic pluralities. By contrast, the likes of Italy, Germany are traditionally 'homogenous' and national culture is the underlying leitmotif. This creates a splintering of tendencies bubbling to the surface in the brackish waters of liberalism.

The new 'Nomos' of the earth sweeps up the night winds and ushers in another era. In this new epoch notions of left and right become exposed as the veil of mist falls. The interregnum of the new nomos is what political scientists call 'transversal politics.' In this the real divisions of the liberal world; a heterotopia of working class/knowledge class, metropolitan/rural, turns nations to local autonomy and tradition. Europe coalesces in an uneasy return to a nation state 'Grossraum' of differentiated states. The European Union becomes more and more superfluous and the embodiment of the hypocrisy of superficial, privileged 'progress' for the 'trahison de clerics' of the knowledge class. The world coalesces into competing blocks in the acquiring of nomos and resources. It is visible in the clash of 'liberal' and 'civilisational' states, a struggle which was obscured by the cold war. There is no consensus on the 'Katechon' or the nature of the anti-Christ; essentially as the ideological debate has been relegated to the background in a sophistry monopolised by the tempest of progress and technological apathy.

These tensions are echoed in the geopolitical ramifications. Whilst the US worked as a balancer during the Cold War, the

realisation on the part of China and Russia is that, in the domain of resource scarcities, the Leviathan is king. This process has been ongoing and is pushing out the boundaries of the 'Grossraum' –its manifestation in Russian and Chinese assertions. The new Grossraum, predicted by Schmitt, will be fought over a new fourth aspect of the traditional Grossraum. Along with Land, Sea and Air has been added a new dynamic—that of Cyberspace. Cyberspace would favour the hegemony of the English language and hence the American dominion over this. However, this is morphing as Chinese and other languages carve out their niches and expand their diaspora. The essential problem of liberalism lies in its lack of cultural consensus; liberalism has become a melting pot of contradiction. Diversity is not the glue of homogeneity, irrespective of its merits, demerits. The 'Völkerwanderung,' which took place between the fourth and ninth centuries changed the nature of Europe, leading to the fall of The Roman Empire and mass migrations into Europe. The causes of the 'Völkerwanderung' are debated but were due to climate change and population pressures from the east (the Great Wall of China producing a tidal wave of movement). If the 'cosmopolitanism' of the Roman empire could be viewed through a modern lens, and the pressures magnified exponentially, then the weaknesses of western states, with cultural dispersion, are intense. American unity is based on the supposition of external threat; this is a national unity bulwark. The Cold War and Islam, for instance, were the external dangers which solidified the state; the centralisation of the US state, through massive spending on a military budget and expansive state sectors has further antagonised the 'populist' base. In fact, it is the dislocation of working-class people from centralised bureaucracies which is facilitating the new grassroots democratic surges in Italy, Sweden etc. Although the liberal media wishes to frame the new 'populism' in chauvinistic language; the reality is a concerning illumination of liberal democratic contradictions. States such as China and India emphasise an economic and cultural diaspora but not based on

being integrated into American globalisation. They are separate civilisational states with homogenous cultural subjects. The nation state, not based on cultural consensus, will be thrown into the graveyard of aristocracies.

There is nothing unusual in the success of civilisational culture states. Historically they have been successful in forging expansive realms. Bismarck's Prussian blood, iron and social insurance, and the 'Zollverein' or customs union, became the Germanic model and led to unification of the German states. This framework was never 'universalised' or exported, it was culturally specific. So, the globalised liberal order was attempting to impose a universal system, a system of 'negative' values i.e., democracy, rights, tolerance. But this is no prescription how to live; it is the opposite of a political theology. Universal utopia paid lip service to local customs and culture; ostensibly the main player being global capital and access to markets. The rise in 'populism' is a defence against assimilation and an assertion of a resistance to the hegemony of the west. The reason for conflict between the universal liberal world and 'civilisational states' is that, due to technology, states increasingly confront each other over resources and scarcity. There is one option for Europe, or a federation of Europe, and that would be to adopt a Nietzschean model of a great Europe; in effect, a civilisational bloc itself, but culturally contained without the abstract rules, universalism and liberal fetishes of the EU. It would need to refind itself in a Westphalian system of principalities within a Schmittian legal framework.

History has given people some sense of belonging, of security; it meant the Medieval Castle protecting the commons from barbarians. It meant the Catholic Cathedral as the solid fortress against the devil. In the modern age, the factory became the repository of communal wealth; the protestant work ethic a bulwark against the idle. However, the barren beach has lost the tides of faith and labour. The 'corporate-state

elite-university' class are invisible and the teleology of the modern too diverse, too alienated through technology. The individual walks alone in the wasteland. What 'populism' means is a nascent exasperation over lack of real participatory democracy and the lack of accountability of large groups of knowledge class members and the new technological state. A new populism, based on real participatory federalism orientated towards tradition and community, with the 'nomos' being grounded in the ethnic divisions of states and regions. A federal, territorial solution satisfies peripheral groups and avoids the universalism and forced diversity of liberal statist democracies. A spectre is haunting western liberal democracies, and it isn't the spectre of communism. It is the spectre of 'populism'.

[1] Carl Schmitt *'The Nomos of the Earth in the International law of the Jus Publikum Europaeum'* (New York:Telos Press Publishing 2006)

[2] Arnold, M. *'Dover Beach'*. (Clinker Press 2008).

[3] Carl Schmitt *'The Nomos of the Earth in the International law of the Jus Publikum Europaeum'* (New York:Telos Press Publishing 2006)

[4] Nietzsche, F., & Common, T. *'Twilight of The Idols'*. (Mineola, NY: Dover Publications 2019).

[5] Friedrich Nietzsche *'Thus Spoke Zarathustra.'* (Blacksburg, VA: Wilder Publications, Thrifty Books 2009)

## **Table of Contents**

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