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Collana	Nomikoi Critical Legal Thinkers
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Soggetti	Law - Philosophy Law - Political aspects
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Livello bibliografico	Monografia
Note generali	"A GlassHouse book."
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Cover; Carl Schmitt; Copyright; Contents; Preface; Introduction Up against Carl Schmitt; Part I: Law as ideology and politics; Chapter 1. An afterlife for Carl Schmitt?; Contemporary relevance?; Chapter 2. On politics, law and ideology; The politics of law and the law of politics; Law as an ideological practice involving depoliticisation; Liberal ideologies of legality; Difficulties and contradictions with liberal ideologies; An unduly narrow definition of law; Exaggerating the determinacy of legal doctrine; Devaluing discretion; Interpretative naivete?; Misinterpreting the judicial role? The politics of ideological depoliticisationThe contradictions of liberal-positivism?; Liberal cosmopolitan ideologies; Ideologies of humanity; Law as authority, interpretation and power; Conclusion; PART II: Schmitt on the role and analysis of myths and counter-myths; Introduction; Chapter 3: Mobilising direct political action: Sorel, myths and counter-myths; Chapter 4: Myths of parliamentarism; Chapter 5: Leviathan: a political myth misfired?; Hobbes as a case study of the importance of studying political myth-making; Correcting Hobbes: contrasting meanings of leviathan

The possibility of myth misfiring; Leviathan as counterproductive?; The slaying of Leviathan; A fatal concession to liberal individualism?; Liberalism's illiberal outcomes; Leviathan's instructive failure?; Conclusion to Hobbes; Chapter 6: Hamlet as an instructive prototype of a political myth?; Hamlet as a corrective to Leviathan?; Studying Hamlet's implications: themes and questions; Myth and other cultural forms; Myth as an ethos of ethnicity?; Staging Hamlet's off-stage history?; A Hamlet-James couplet?; Schism as religion; Hamlet signifying sovereignty in crisis?; Staging political theatre; Deciding against indecision; Politicising Hamlet's depoliticisation?; Hamlet's audience as co-authors?; Chapter 7: Political myths underpinning democracy; Myths of national identity; Dangerous political myths: Marxism, Fascism and Liberalism; Taking stock of general lessons: a Schmittian concept of the mythical?; Conclusion; Bibliography; Index

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### Sommario/riassunto

There continues to be a remarkable revival in academic interest in Carl Schmitt's thought within politics and social theory but this is the first book to address his thought from an explicitly legal theoretical perspective. Transcending the prevailing one-sided and purely historical focus on Schmitt's significance for debates that took place in the Weimar Republic 1919-1933, this book addresses the actual and potential significance of Schmitt's thought for controversies within contemporary Anglo-American legal theory that have emerged during the past three decades. These include: the criti

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