

# Violence Reconsidered: Walter Benjamin's Divine Violence and Beyond

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But if the existence of violence outside the law, as pure immediate violence, is assured, this furnishes the proof that revolutionary violence, the highest manifestation of unalloyed violence by man, is possible, and by what means. ("Critique of Violence" 300)

The violence which has ruled over the ordering of the colonial world, which has ceaselessly drummed the rhythm for the destruction of native social forms . . . that same violence will be claimed and taken over by the native at the moment when, deciding to embody history in his own person, he surges into the forbidden quarters. (*The Wretched of the Earth* 40)

## 1. Introduction: An Ethical Perspective

Traditional Western metaphysics is dominated by a mode of thinking that finds solutions in the self—now a constitution put into question—and by a problematic dichotomy that divides a whole. Calling in question the distinguishing Reason that ostensibly shines out one's subjectivity, most modern philosophers have devoted themselves to a more critical examination of the mechanism of reasoning and its subsequent formation of subjectivity. In this light, the constitution of the self is also redefined in terms of its relation to the *other*, who, in Emmanuel Levinas's ethical perspective, is as free as the self. The conventional ways of addressing the conflicts of any two parties follow a pattern which sees the conflicts as forces that threaten the legitimacy of the self. However, Levinas's more reflexive philosophy considers the conflicting situations and the need for compromise to be a result of failing to incorporate an ethical perspective on the notions of justice and freedom. For that

matter, Levinas's critique of the unexamined value of spontaneity, a spontaneity deriving from "a rational *being* being situated within the totality," evokes an ethical reconsideration of the self-other pattern:

We think that existence *for itself* [sic] is not the ultimate meaning of knowing, but rather the putting back into question of the self, the turning back to what is prior to oneself, in the presence of the Other. ... The essence of reason consists not in securing for man a foundation and powers, but in calling him in question and in inviting him to justice. (*Totality and Infinity* 88)

In the light of such observation, the intention of this paper is to present, based on the reading of Walter Benjamin's "Critique of Violence," an ethical critique of violence that rethinks the relation between violence and justice by looking into the politics of resistance in the (post-)colonial context and examining further a new formation of power in the making of the virtual, transnational community—Empire.

## **2. A Critique of Instrumentalist Violence: Walter Benjamin's "Critique of Violence"**

Written in 1921, Walter Benjamin's seminar essay is a consequence of his growing dissatisfaction with theories of positive law and natural law.<sup>1</sup> On the one hand, Benjamin rejects the Darwinist explanation of violence as "the only original means, besides natural selection, appropriate to all the vital ends of nature" ("Critique of Violence" 278). Natural law as such is underpinned by a legal philosophy which presumes the primacy of a *just* end (over a *just* means)—a presumption bypassed by Benjamin because of the limited scope of his essay. On the other hand, Benjamin's concept of divine violence only comes from his inquiry into

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<sup>1</sup> In an emphatic tone, Benjamin addresses the inherent problems of these two theories of law: "If positive law is blind to the absoluteness of ends, natural law is equally so to the contingency of means" ("Critique of Violence" 279).

the problematics of *legality*, upon which the theory of positive law is based. Thus, as a critique of positive law and its decadent development, Benjamin's study of violence is largely committed to "the question of the justification of certain means that constitutes violence" ("Critique of Violence" 279). That is, Benjamin examines violence and its historical formation with the intention of exposing the principles that govern the violence of the modern world. His critique of violence and—in an expiatory way—his assertion of pure violence, is grounded on "a standpoint outside positive legal philosophy but also outside natural law" and can be only "furnished by a historico-philosophical view of law" ("Critique of Violence" 279).

Benjamin's "Critique of Violence" is an inquiry into the politics of violence. His enquiring method is not unlike that of Foucault in *Archaeology of Knowledge* or *History of Sexuality*; the main concern for both enquirers is not so much the legality of institutions as the legitimacy of that claimed legality. Based on a Foucauldian deconstruction of legality, Beatrice Hanssen's reading of Benjamin's "Critique of Violence" underscores the latter's anti-liberalism, for "[being] no longer able to guarantee the legitimacy of the legal order, legal positivism instead attested to the discrepancy between legality and legitimacy that was to become typical of modernity" (Hanssen 19). According to Benjamin, the corruption of parliament systems—of which the parliament of Weimar Republic is an example—indicates an unjustifiable oblivion of 'violence as a pure means,' to which legal institutions owe their existence:

When the consciousness of the latent presence of violence in a legal institution disappears, the institution falls into decay. In our time, parliaments provide an example of this. They offer the familiar, woeful spectacle because they have not remained conscious of the revolutionary forces to which they owe their existence. ("Critique of Violence" 288)

For Benjamin, the existence of pure, revolutionary forces is confirmed only by their purpose. Employing Georges Sorel's subtle distinction of the political and the

proletarian general strike<sup>2</sup>, Benjamin explains the fine difference between the strike of the bourgeois and that of the working class. According to Benjamin, these two kinds of strikes are essentially “antithetical in their relation to violence” (291). In his analysis, the proletariat’s strike is ‘anarchistic’ in the sense that it completely defies the legal order which is nevertheless guarded by the bourgeois’s quasi-revolutionary strike. For the proletariat’s strike “takes place not in readiness to resume work following external concessions and this or that modification to working conditions, but in the determination to resume only a wholly transformed work, no longer enforced by the state . . . .” (292). Here Benjamin addresses the embodiment of a pure, revolutionary power which is nothing less than a secular version of divine violence. The moral redefinition of violence as a pure means is Benjamin’s dialectical way of seeing violence *per se*; the other side of this observation is his accusation of the degraded legal system. Tracing the history of violence back to its origin, Benjamin looks into the process of how law is written into human life to fix frontiers, a significant act that contributes to the establishment of legal violence. Criticizing the corruption of the legal system, Benjamin calls in question the justice of law; for him, “there is no equality, but at the most equally great violence” (“Critique of Violence” 296).

Analyzing respectively the nonviolent compromise of interpersonal relations and the politics of diplomacy, Benjamin denounces the infringement of legal violence upon the purity of violence. According to Benjamin, to appease the conflicting interests of individuals or groups, legal violence begins to intervene in the sphere of human understanding, of which language is the supreme medium:

This makes clear that there is a sphere of human agreement that is nonviolent to the extent that it is wholly inaccessible to violence: the proper sphere of “understanding,” language. Only late and in a peculiar

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<sup>2</sup> In *Reflections on Violence*, Georges Sorel relates the necessity of violence as a means of fighting against the decadence of the middle class. Published earlier than Benjamin’s title essay by more than a decade, Sorel’s book provides Benjamin with an elaborate differentiation of the ultimate purposes of these two strikes.

process of decay has it been penetrated by legal violence in the penalty placed on fraud. (“Critique of Violence” 289)

The punishment for committing fraud is a burgeoning intervention of legal power in private sphere; for Benjamin, the unadulterated quality of a pure means has given way to the purposefulness of the legal system ever since law began to “set itself ends, with the intention of sparing law-preserving violence more taxing manifestations” (“Critique of Violence” 290). Attributing this degraded development of law to a “lacking confidence in its own violence,” Benjamin points out that the fear of revenge by the defrauded party is never an appropriate excuse for taking sanctions against fraud (“Critique of Violence” 290). According to him, “[since] such fear conflicts with the violent nature of law derived from its origins, such ends are inappropriate to the justified means of law” (“Critique of Violence” 290).

According to Benjamin, the fact that the spirit of law is shared by modern people is a consequence of their outliving the struggle to live up to ‘mythical statutes’—the embryonic forms of modern law. This is a process of how people adapt themselves to a law-governing world, which is alien to ancient communities that live a more natural form of life:

To this spirit of law even the modern principle that ignorance of a law is not protection against punishment testifies, just as the struggle over written law in the early period of the ancient Greek communities is to be understood as a rebellion against the spirit of mythical statutes. (“Critique of Violence” 296)

Opposite to Benjamin’s criticism of the spirit of law as such is his utopian mapping of the boundless Law of God. However, this appeal to the Divine is not a retreat into religiosity but a recourse to ultimate transcendence over the problematic schematics of the means-end cycle, as is testified by Benjamin’s alternative way of addressing the limitation of Western metaphysics: “How would it be . . . if at the

same time a different kind of violence came into view that could be either the justified or the unjustified means to those ends, but was not related to them as means at all but in some different way?" ("Critique of Violence" 293)

Benjamin's disillusion with the instrumentality of Western metaphysics matches his dissatisfaction with the instrumentalist language theory and traditional historicism.<sup>3</sup> Politically speaking, Benjamin's anti-liberalism leads him to a critical examination of the legitimacy of state power. According to him, the regimes on earth only assert rigid control over a superficial life form, whereas the Divine regime is one that transcends the unjustified means of violence and gives full manifestations to the form of life:

The dissolution of legal violence stems, as cannot be shown in detail here, from the guilt of mere natural life, which consigns the living, innocent and unhappy, to a retribution that "expiates" the guilt of mere life—and doubtless also purifies the guilty, not of guilt, however, but of law. ("Critique of Violence" 297)

It is his virtuosity that Benjamin handles these already familiar terms to the extent that, metaphorically speaking, legal violence turns out guilty and is in need of expiation. The accusation here is directed mainly at the problematic composition of the profane law, whose sovereignty is wielded on that susceptible form of mere life.

While considering violence to be dialectically related to human life, Benjamin nevertheless is able to extract the sacredness of violence. By pitting mythical violence against divine violence, Benjamin elaborates on the degenerative development of law-making violence, a process in which purity and non-violence is

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<sup>3</sup> Hannah Arendt, in the introduction to *Illuminations*, mentions Benjamin's propensity to lay bare the false structures of ideologies. As a Marxist, Benjamin pokes at every malaise of capitalism and its underlying bourgeois ideology. According to Arendt, while refusing to take sides with Zionism or Communism, Benjamin is nevertheless capable of assuming a radical approach to ideology of either kind: "This shows clearly how little the 'positive' aspect of either ideology interested him, and that what mattered to him in both instances was the 'negative' factor of criticism of existing conditions, a way out of bourgeois illusions and untruthfulness, a position outside the literary as well as the academic establishment" (34).

substituted by the instatement of *power*. For him, the fact that Niobe, a deprived mother in the ancient Greek legend, serves as an eternal bearer of guilt indicates that the tendency of boundary-making—which is characteristic of legal violence—is also perceivable in mythical violence.<sup>4</sup> The corruption of mythical violence is no less sharply portrayed by him than that of legal violence, which has been discussed above:

For the function of violence in law-making is twofold, in the sense that lawmaking pursues as its end, with violence as the means, *what* is to be established as law, but at the moment of instatement does not dismiss violence; rather, at this very moment of law-making, it specifically establishes as law not an end unalloyed by violence, but one necessarily and intimately bound to it, under the title of power. (295)

In his remarks, Benjamin highlights the paradoxical relation of law and violence—that is, violence is necessary to law-making only before the latter becomes deteriorated. Thus, Benjamin presents a more radical grasp of the nature of violence—in the name of divine violence—which is destructive rather than creative, law-destroying rather than law-making. Violence as such is beyond the descriptions of profane (legal) violence and mythical violence; rather, it is describable only in terms of its opposites:

If mythical violence is law-making, divine violence is law-destroying; if the former sets boundaries, the latter boundlessly destroys them; if mythical violence brings at once guilt and retribution, divine power only expiates, if the former threatens, the latter strikes; if the former is bloody,

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<sup>4</sup> According to the legend, Niobe, queen of Thebes, who prides herself on having more children and being better-bred than Leto, mother of Apollo and Artemis, is finally punished for her arrogance by the two gods, who shoot all her sons and daughters to death with arrows. For Benjamin, punishment as such is an embodiment of mythical violence, which involves *fate* rather than legal judgment. However, Niobe's punishment is nevertheless, for him, typical of the corrupt manifestation of law-making violence, for Niobe ultimately turns out to be “both as an eternally mute bearer of guilt and as a boundary stone on the frontier between men and gods” (295).

the latter is lethal without spilling blood. (297)

After all, Benjamin does not argue against violence *per se* but against the intentions that constitute violence. For him, the consideration of interests and purposes results in the deviation of mythical violence from the purity of that unalloyed, divine violence.

### **3. Frantz Fanon's Holy Violence as a Manifestation of Divine Violence**

In "Critique of Violence," Benjamin ultimately offers a de-secularized version of violence. Beautiful as it is, his concept of sacred violence is nevertheless open to attacks. Agreeing with Benjamin's criticism of legal violence in "Critique of Violence," Hanssen nevertheless shows her scruples by claiming that such criticism may "reintroduce a theological foundationalism, that is, a decisive, authoritative ground, which was to sustain secular forms of violence" (23). Another attack comes from the controversy over Benjamin's taking sides with Marxism, a school that has lesser focus on the Jewish question than Zionism does. To excuse the unbalanced treatment on the Jewish question, Hannah finds in Benjamin and his contemporary Jewish writers a transference to "a much more general and more radical problem, namely, to questioning the relevance of the Western tradition as a whole" (37). By shifting the focus to a critique of Western humanistic traditions, Hannah deftly makes excuse for Benjamin's failing to foreground racial issues in his writing.

However, an article such as "Critique of Violence" never fails to awaken the reader to the more radical employment of the politics of violence. Responding to Benjamin's critique of violence, Hanssen is such a reader that is prompted to "ask to what degree the phenomenon of violence, for example, in the form of violent anti-colonial struggle, also shows up the blind spots of political liberalism" (19). While Benjamin's critique of violence aims at elucidating the inherent corruption of secular violence, he nevertheless speaks highly of pure, revolutionary forces

embodied by the proletarian strike. In other words, for Benjamin, it is possible to manifest divine violence in a secular way—as long as that manifestation is free of the problematic nature of secular violence. Thus said, this section is devoted to analyzing how violence is employed in anti-colonial struggle as a means that serves an end ‘unalloyed by violence’. The focus is mainly on Fanon’s concept of holy violence, which together with Benjamin’s concept of divine violence, are the two ground-breaking calls for pure, revolutionary forces.

As a propeller of Algeria’s independence, Frantz Fanon ignites successfully the self-assertion of the colonized subject, who has for long suffered from the ails inflicted by the colonizer. Fundamental to Fanon’s revolutionary impetus is his belief in a Hegelian paradigm of violence—or in Hegel’s terms, a paradigm of ‘creative conflict’—and along with it, his view of wars as indispensable to the formation of a nation’s sovereignty. Hegel’s master-slave model reverses the traditional view of the lord-bondsman relation in the feudal hierarchy. According to Hegel, the lord gains only a pyrrhic victory over the bondsman, whose ostensible subordination implies not the extinction of self-assertion but the manifestation of self-realization. In Hegel’s model, owing to the loss of the object of recognition, the lord ceases to be a self-realizing subject; on the contrary, the bondsman, who transforms successfully his subordination into self-realization of every kind, is the last laugher that laughs best in the creative conflict. The key to the freedom of the bondsman in the feudal system is therefore his mental capability of redefining the relation to the lord. However, in the colonial context, there is no such a give-and-take relation underpinned by reciprocity. Therefore, holding that colonial exploitation provides no basis for the colonized’s recognition, Fanon calls for the rebellion against colonial violence. Re-appropriating Hegel’s master-slave model, which comes from his re-interpretation of the lord-bondsman relation in the feudal system, Fanon expounds the necessity of absolute negation in the making of dialectical subjectivity. According to Fanon, the colonized subject is dehumanized by the colonizer to the point where even the former is denied any recognition; hence, radical violence is the last and the only resort.

A proponent of radical violence, Fanon believes that “the naked truth of decolonization evokes for us the searing bullets and bloodstained knives which emanates from it” (*The Wretched of the Earth* 37). To gain an upper hand, the native has to resort to violence, for “[from] birth it is clear to him that this narrow world, strewn with prohibitions, can only be called in question by absolute violence” (*The Wretched of the Earth* 37). In this sense, the returning of violence for violence answers best Fanon’s calling for rebellion. In addition to the physical limitations imposed on the native, such as those adopted in apartheid, the metaphysics of the settler’s discourse is also a descendent of Manichean mechanism—so much so that “[at] times this Manichaeism goes to its logical conclusion and dehumanizes the native, or to speak it plainly, it turns him into an animal” (*The Wretched of the Earth* 42). According to Fanon, the wrongs of this Manichaeism can be undone only through violence spurred by ethical awakening; that is, to reverse the defiled image of the native as quintessentially evil, the native has to “silence the settler’s defiance, to break his flaunting violence—in a word, to put him out of the picture” (*The Wretched of the Earth* 44). And for that matter, “[as] far as the native is concerned, morality is very concrete” (*The Wretched of the Earth* 44).

#### **4. The Power of the Multitude: The Bio-Politics of Violence in Empire**

While Benjamin and Fanon are both critical of the formation of law and violence, their grasps of violence are nevertheless grounded on a metaphysical hierarchy—that is, a power structure which involves the ruler on the top and the ruled down the bottom. It is true that Benjamin has hit the target by asserting the sacredness of violence in an era when people are still in the myth of violence. Yet it is no less true that his imagination of the multitude is largely exercised in the context of hierarchal relations between the individual and the state, the proletarian and the bourgeois. He does not address the *interactions* between the constituents of the power structure. To approach these interactions means to address issues of violence

and law in a more mobile, dynamic context. Thus said, this section is devoted to analyzing the bio-politics of 'Empire' elaborated in Hardt and Negri's homonym book, which is a political body capable of wielding power yet having no actual and localizable terrain or center.

In an age witnessing rapid flows of capital and information, the power structure has undergone a drastic transformation from hierarchical dominance to the network sovereignty underpinned by a virtual community. According to Hardt and Negri, authors of *Empire*, the imperialist rule, which culminated in British and French imperialisms, has just given way to the imperial reign of Empire, in which the United States occupies a privileged position. In Empire as such, the legitimacy of order and justice is even an issue, given that legitimacy is now raised to a global dimension. Discussions of Empire as a juridical system often involve the debates over the concept of justice and how justice is maintained in that system. The fact that Empire serves as a pivot of global order is illustrated by its relevance to the ancient notions of Empire. Drawing on the teachings of some ancient political philosophers, Hardt and Negri are able to say that "[empire] is formed not on the basis of force itself but on the basis of the capability to present force as being *in the service of right and peace*" (15 my italics). This perspective on force justifies the existence of United Nations as the world's police and its right of intervention; the legitimacy of such intervention is determined only by the fact that "it is already inserted into the chain of international consensuses aimed at resolving existing conflicts" (*Empire* 15).

While recognizing the necessity of order in the global juridical system, Hardt and Negri are nonetheless not uncritical of the spontaneity of justice. Their conception of justice is not an unreflective determinism but an ethical inquiry into the compositions of justice in global order:

Who will decide on the definitions of justice and order across the expanse of this totality in the course of its process of constitution? Who will be able to define the concept of peace? Who will be able to unify the process

of suspending history and call this suspension just? Around these questions the problematic of Empire is completely open, not closed. (19)

The ambivalence of seeking justice in a problematic world order is a key issue in *Empire*; for Hardt and Negri, the most fundamental characteristic of Empire is that “its power has no actual and localizable terrain or center” (384). The United States certainly occupies a privileged position in the global hierarchies of Empire, yet “[as] the powers and boundaries of nation-states decline, however, differences between national territories become increasingly relative” (*Empire* 384). As a transnational construct, Empire is noted for its immeasurability; even the map of life has to be redrawn under this overarching presence—in other words, the aspects of the world are adjusted to the drastically enlarged worldview.

In *Empire*, Hardt and Negri give us a more revealing picture of class struggle by placing that struggle onto the world stage. The focus of class struggle becomes more definite and unified than before in the context of a wider landscape of bio-political production that “allows us finally to recognize the full generality of the concept of proletariat” (402).<sup>5</sup> While the spirit of Marxist revolution is elevated to its full generality in the bio-political production of Empire, there is nevertheless a counter-development to Marxism in regard to its underlying metaphysics. With an initial intention of improving the deficiency of finite categories, Hegel’s dialectic provides an alternative way of addressing the Absolute. His dialectic is a method of “examining the understanding’s pairs of putatively opposed categories and showing that these categories, originally thought to be mutually exclusive, really involve each other” (*Hegel’s Metaphysics* 134). However, as the dynamics of this Hegelian dialectic is reduced to the pursuit of a transcendent synthesis, the arguments of

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<sup>5</sup> This new concept of proletariat is different from the older definition of industrial working class. The former covers the labor in all ranges of social life, productive or not, whereas the latter only refers to the labor of waged works, leaving behind it a large portion of exploited workers. While there were proletariats who strategically identified with the project of imperialism, the new proletariat in Empire is united unanimously by “a political demand of the multitude: *a social wage and a guaranteed income for all*” (*Empire* 403).

Hegel's metaphysics begin to lose their ground.<sup>6</sup> Thus, the production of subjectivity in Empire is never governed by the 'simplified' logic of the dialectic but by "refusal, resistance, violence, and the positive affirmation of being" (*Empire* 378). The paradoxical aspect of this subjectivity is highlighted by the constitution of Empire as a power in generation and in crisis; the desire of the mass—a notorious example of postmodern subjectivity—is not only the reason for Empire's prosperity but also the reason for its corruption.

## 5. Conclusion: Violence as Pure Power for the Sake of Living

The history of violence is one that witnesses the development of human civilization from seeking justice in tribal retribution to curbing violence by appealing to other forms of violence that are no less pernicious. Benjamin's critique of violence accusingly exposes the unjustified aspects of the legal system. His critical examination of the formation of law, including its legal, cultural, and moral constituents, reveals how the unnatural growth of the will to violence has produced an unwholesome offspring—that is, all the powers representative of the lawmaking and the law-preserving of the world are, according to Benjamin, congenitally deformed. Considering the fact that nationalistic fevers have abated since War World II, the deployment of power relation is now on a global scale. Ironically, this remapping of boundaries represents both the development and counter-development of capitalism, which has notoriously exerted its dominance over all aspects of human life. As has been mentioned above, the power of the multitude proves to be a most revolutionary force to the constitution of Empire. It seems that the power of the mass has the opportunity to win over with its revolutionary violence, which, according to Benjamin, is "the highest manifestation of unalloyed violence by man"

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<sup>6</sup> According to Hardt and Negri, what runs against Empire in crisis is an irrational dialectic that "cannot resolve or even attenuate the crisis of reality" (*Empire* 378). The dialectic in question is mainly the tendency to assume a transcending position; this position requires a more careful examination, since the demises of God and Man have brought anti-humanism—a critical inquiry into the tradition of humanism—into "a refusal of any transcendence" or, conversely, into the contact with "the philosophy of immanence" (*Empire* 91-92).

(“Critique of Violence” 300). However, one cannot easily forget the age-old lesson that violence breeds violence, and Benjamin’s warning message serves as a constant reminder of the purity of violence, which is also what is demanded of the revolutionary power latent in Empire:

A gaze directly only at what is close at hand can at most perceive a dialectical rising and falling in the lawmaking and law-preserving formations of violence. The law governing their oscillation rests in the circumstance that all law-preserving violence, in its duration, indirectly weakens the lawmaking violence represented by it, through the suppression of hostile counter-violence. (“Critique of Violence” 300)

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