Jan Philipp Reemtsma

TRUST

AND

VIOLENCE

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TRUST AND VIOLENCE

An Essay on a Modern Relationship

Jan Philipp Reemtsma

Translated by Dominic Bonfiglio

"Confectioner! Confectioner! Confectioner!" …
"What is man and what can become of him?"
— E.T.A. HOFFMANN, "NUTCRACKER AND MOUSE KING"

I suddenly felt free!
— JEAN RENOIR, *THE TESTAMENT OF DOCTOR CORDELIER*

"[L]ittle children do not like to hear it."
— SIGMUND FREUD, *CIVILIZATION AND ITS DISCONTENTS*

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Preface

Examining the conditions and characteristics of modernity's unique trajectory is a well-worn tradition in social science. Where the emphasis falls—on rationality or functional differentiation or what have you—depends on the preferences of the investigator. This book continues this line of inquiry by focusing on a topic that has received little attention: the modern interrelation of trust and violence. It addresses three questions in particular. First, how did a North Atlantic culture born of crises in the sixteenth and seventeenth centuries come to distinguish itself from all other societies in its need to legitimize the use of violence? Second, how does this culture reconcile the idea of itself as progressing toward ever less violence with the actual violence it produces? Third, why have the violent excesses of the twentieth century, while severely tarnishing our opinion of modernity, not (yet) prompted us to abandon modernity altogether?

In answering these questions I have aspired to write neither a new history nor a new sociology of modernity. Though I draw frequently on historical and sociological research, I am beholden to neither discipline. So for instance while existing studies on trust are fascinating they could not be more at odds with one another in their conclusions, which is why I have taken my own approach. Likewise, I consider previous thought on the phenomenology of physical violence and its relationship to power, but I also go beyond it. This is one of those works that seeks to gain fresh perspectives by shedding new light on familiar territory. Accordingly, it does not so much compete with other views of modernity as complement them. It employs a technique of description that alternates between broad overview and pinpointed study, the latter supplementing the sweeping character of the former. Because I range widely for details that illustrate my arguments, the selection of material may seem arbitrary. At any rate, I hope readers can forgive me for interspersing sociological and historical reflection with textual analysis, the stock in trade for those, like me, who are literary scholars by training. I ask of them similar charity for the many citations from books by Hamburger Edition, the publishing company of the Hamburg Institute for Social Research. It is true that I am the founder and director of this institute; no less true is the fact that its research has crucially shaped my work. Indeed, without the benefit of conversations that took place there over

the course of many years I would not have embarked on this project, much less completed it.

I am particularly indebted to the Hamburg Institute's research unit Theory and History of Violence, under the direction of Bernd Greiner, which generated many fruitful discussions directly related to my work. For their thought-provoking input, the institute's other research units—The Society of the Federal Republic of Germany (led by Heinz Bude) and Nation and Society (led by Ulrich Bielefeld)—merit appreciative mention as well. I also profited from discussions with Regina Mühlhäuser and Gaby Zipfel on sexual violence, with Wolfgang Kraushaar on modern terrorism, and with Michael Wildt on violence and the public sphere. I want to give special thanks to Martin Bauer, who took the trouble of reading the manuscript in its entirety before the final editing and who identified a number of passages in need of clarification. Last, I would like to express my utmost gratitude to the director of Hamburger Edition, Birgit Otte. She not only edited many of the books I rely on here; she edited this one as well.

A final remark. Some readers may find my practice of frequent self-citation— I am the most referenced author in the bibliography—more than a little unusual. I would like to assure them that it does not stem from narcissism run amok. *Trust and Violence* brings together ideas I have put to paper over the past several years, sometimes extending them, sometimes revising them, sometimes using them as they are. Since the scope of this work grew markedly over the course of its preparation, I was unable to be as detailed as in my essays and lectures, and thus wanted to assist readers interested in further exploring specific topics.

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Introduction: The Mystery

"How on earth?" asked my mother.
—WALTER KEMPOWSKI, *TADELLÖSER & WOLFF*

The German writer Walter Kempowski once mused that his entire literary output may one day be reduced to this all-too-familiar question. Such a question, he wrote, "is a lot for a lifetime, analogous to 'I know that I know nothing.'"[1] Drawing a connection to Socrates' aphorism is no doubt astute, but can anyone better answer the question than Kempowski's mother? In his autobiographical novel *Tadellöser & Wolff* gunfire alerts the Kempowskis to the arrival of Soviet troops in their hometown. After a stray bullet rips through the leaves of the family pear tree, the mother wonders, "How on earth?" and then says to the teenage Walter and his grandfather, "We better go inside."[2] Like every novel, every historical treatise has a moment in which it must resort to a gesture of showing such as this; none capture the entire complexity of events. This is a truism, yet such truisms bear repeating. In *Tadellöser & Wolff* the question that severely tests both the writing of history and what our society holds for certain—how could it have come to *this*?—finds expression in a mother's everyday chatter. The novel shows how an extreme break from normality could (and, in principle, can) be experienced as normal. And precisely for this reason it was (and will be) possible.

Why does this question persist so stubbornly? Why, after thousands upon thousands of pages of published historical analysis, do we find it posed again at the beginning of the twenty-first century? Throughout Harald Welzer's 2005 book on mass murderers we find the question formulated in the naïve language of the 1950s: "How could ordinary family men do such a thing?"[3] Let us put aside the purportedly shocking observation that Adolf Eichmann and Rudolf Höß and others like them were ordinary family men (whatever *ordinary* is supposed to mean). This kind of observation is shocking only because our notion of acceptable behavior for family men has changed. The family structure ensures nothing, as any rational person understands. In attempting to illustrate the iniquity of *Homo sapiens* with hyperbole, Schopenhauer wrote that "many a man would be capable of slaying another, merely to smear his boots

with the victim's fat," though he immediately wondered whether this was in fact an exaggeration.[4] Clearly, such an insight does not require twentieth-century experience. Though Auschwitz was without precedent—Germans were the first to build a city solely for the purpose of murder—we have always known that humans are capable of committing atrocities that leave us speechless. Consider the act of smashing an infant's head against a wall, written about again and again through history. Is this a habit of *Homo sapiens* or a fantasy it habitually projects onto other members of the species? Both, one is tempted to say. Tzvetan Todorov cites an account of the conquistadors that reports of soldiers killing indios just to see whether swords whetted on river stones were sufficiently sharp.[5] "The identity of the massacre victim," Todorov notes, "is by definition irrelevant ... : one has neither time nor curiosity to know whom one is killing at that moment."[6] Is it inconceivable that such people once bounced children on their knees? We may not be able to imagine it, but we know it has happened. No one seriously believes that murderers return home to their families without first washing the blood from their hands. But shouldn't thoughts of our children prevent us from committing murder to begin with? Welzer points out that such thoughts have indeed gotten in the way of homicidal plans on occasion, but this is not the rule, and when they do cause hesitation they can also be overcome, as history so often teaches.[7] Sometimes the thought of loved ones at home is what motivates murder in the first place. Such sentiments were what Major Wilhelm Trapp, the commander of Reserve Police Battalion 101, relied on as he prepared his men for their gruesome mission in the Final Solution.[8] The twentieth century provides a terrifying number of additional examples, but to arrive at this depressing (and, sadly, all-too-unsurprising) knowledge we do not need the history of the twentieth century.

Calling the attempt to murder the entire Jewish population of Europe—the attempt to beat to death or shoot to death or poison every Jew Germans could get their hands on—a "monstrosity without precedent" does not mean that the individual deeds of its perpetrators were without precedent. The agents of the Holocaust were in principle no different from the men of Caesar's cavalry, who, in violation of the human rights prescribed by Roman law—"human rights" may sound anachronistic but the jus gentium was exactly that—exterminated the Gallic tribes of the Tencteri and the Usipetes, bludgeoning and drowning men, women, and children alike.[9] The same applies to Communist-era denunciations. What had once occurred only under exceptional circumstances (Sulla's proscriptions, say) or as a paranoid outgrowth of a society permeated by superstition became, under Stalin, the dominant political style ad absurdum.[10] This too is without precedent, though not denunciation itself, or the informer who chooses this path. What is without precedent is a system of concentration

camps extending from Germany to Eastern Europe; what is without precedent is the Soviet Gulag. Not without precedent is the camp guard, the seasoned sadist, or the tormentor—people who at some point appear to forget that the heads they are cracking belong to human beings. "Cats scratch; dogs bite; men kill" is how Ruth Klüger put it to me once. There is nothing to be surprised about, nothing to explain. So why does the question asked by Mother Kempowski endure?

The how-on-earth question in the context of "ordinary family men" is revealing precisely because it is patently absurd. It is a screen question, just as Freud spoke of screen memories. The real question, the one behind the screen, is this: how is it possible that murderers became our "ordinary" fathers? The question is tortuous because it necessitates in us an excruciating ambivalence while confronting us with a set of unresolved moral issues (whether they are resolvable at all is another matter). And it continues to do so despite the many real and fictionalized revolutions of 1968 and the innumerable attempts at literary reckoning with our fathers and grandfathers.[11] But here too we must ask what vexes us. Certainly not every son or daughter of a murderous father has been so disturbed by the latter's deeds as to turn to endless theorizing. This is because the painful ambivalence I speak of is predicated on an essential condition: the existence of a gap between the morality that legitimizes a deed and the morality by which we judge it. The (mercifully small) share of the generation of grandchildren who deny the Holocaust and chant "Glory and honor to the German Wehrmacht" do not know this ambivalence. And it is the exception in places—such as the successor states of the Soviet Union—where mass murder is commonly seen as either committed by others or a necessary corollary of modernization and war for the fatherland.[12]

The question whether the legitimation of a deed later loses its validity is equally pertinent to all twentieth-century horrors, as the cases of Hiroshima and Nagasaki remind us.[13] In Germany the process of delegitimation was particularly thoroughgoing. For this the Nuremberg Trials were a necessary but insufficient condition, a fact demonstrated repeatedly in the following decades, up to and including the controversies of the late 1990s surrounding the exhibition on German Wehrmacht crimes curated by the Hamburg Institute for Social Research.[14] Nevertheless, a moral rupture with the Nazi era did indeed take place in the years immediately after 1945. The interpretation of Germany's so-called *Zusammenbruch*, and the conclusions to be drawn therefrom, have generated much controversy since the war. If this were before 1945, when heroizing the sins of the fathers was the norm, Germans would claim that interpretation was the *only* point of controversy. A sign of the moral hiatus between then and now is our rejection of the word *only*.

Something else about the expression *ordinary men* must be addressed: the meaning of *ordinary* vacillates. It can mean "mentally ordinary," that the men weren't sadists in the clinical sense, for then they would have continued after 1945 of their own accord.[15] It can also mean "typical of the time," that the men were not ideological fanatics or brainwashed by propaganda (something that could be said of most on account of their young age). Finally, *ordinary* can mean "someone like you and me." This is where Protestant humility chimes in and says amen. But skepticism of one's own moral fortitude is overrated.[16] The gap between past and present morality that enables us to ask uncomfortable questions should also compel us to insist that these *were no ordinary men,* that these men *were not like you and me*, for *that* standard of ordinary is no longer valid. We must acknowledge this fact and cleave to the new (or reclaimed) standard. The answer to the question "How could ordinary men … ?" is that the criteria for what is ordinary can change.

But so quickly, so radically? you ask. Here's a question in return: Which quick and radical change do you mean? The one that began in 1933, or the one that began in 1945? I am inclined to see the latter as more astonishing, and I am inclined to think everyone would agree. Consider Friedrich Schiller's description, in 1790, of the Thirty Years' War:

> [A] desolating war of thirty years, which, from the interior of Bohemia to the mouth of the Scheldt, and from the banks of the Po to the coasts of the Baltic, devastated whole countries, destroyed harvests, and reduced towns and villages to ashes; which opened a grave for many thousand combatants, and for half a century smothered the glimmering sparks of civilization in Germany, and threw back the improving manners of the country into their pristine barbarity and wildness.[17]

If the Thirty Years' War resulted in half a century of barbarism, wouldn't the occurrence, between 1914 and 1945, of a *second* thirty-year war[18]—a war with theaters across the globe, millions of dead soldiers and civilians, millions killed in concentration camps, millions of displaced persons and refugees, unthinkable devastation to cities and countries, and millions inured to death and destruction—naturally lead one to expect an even longer period of cultural and moral decline? By 1944 Theodor Adorno had spotted the parallels between the wars and offered the following prognosis:

> Like the Thirty Years' War, this too—a war whose beginning no one will remember when it comes to an end—falls into discontinuous campaigns separated by empty pauses, the Polish campaign, the Norwegian, the Russian, the Tunisian, the Invasion. Its rhythm, the alternation of jerky action and total standstill … has the same

mechanical quality which characterizes individual military instruments.... Life has changed into a timeless succession of shocks, interspaced with empty, paralyzed intervals. But nothing, perhaps, is more ominous for the future than the fact that, quite literally, these things will soon be past thinking on, for each trauma of the returning combatants, each shock not inwardly absorbed, is a ferment of future destruction. Karl Kraus was right to call his play *The Last Days of Mankind*. What is being enacted now ought to bear the title: "After Doomsday." ... [T]he idea that after this war life will continue "normally" or even that culture might be "rebuilt"—as if the rebuilding of culture were not already its negation—is idiotic. Millions of Jews have been murdered, and this is to be seen as an interlude and not the catastrophe itself. What more is this culture waiting for? And even if countless people still have time to wait, is it conceivable that what happened in Europe will have no consequences, that the quantity of victims will not be transformed into a new quality of society at large, barbarism? As long as blow is followed by counter-blow, catastrophe is perpetuated. One need only think of revenge for the murdered. If as many of the others are killed, horror will be institutionalized and the pre-capitalist pattern of vendettas, confined from the time immemorial to remote mountainous regions, will be re-introduced in extended form, with whole nations as the subjectless subjects. If, however, the dead are not avenged and mercy is exercised, Fascism will despite everything get away with its victory scot-free, and, having once been shown so easy, will be continued elsewhere.[19]

Thomas Mann came to a similar conclusion. In his diary entries from May 4 and 5, 1945, we read:

The most savage brutality in victory; moaning and appeals to generosity and civility in defeat. / No, [the Germans] are not a great people. Speer asserted on the radio that never has a civilized country been so battered. Germany looks like it did after the Thirty Years' War.... Erika read an article to be published in *Liberty* about the punishment of war criminals, which seems like it will fail to happen just as it failed in 1918, unless the Russians decide to make a public example of the Germans. On the other hand, it is not possible to execute a million people without repeating the methods used by the Nazis. Around a million would have to be annihilated.[20]

Both Adorno and Mann emphasized the impossibility of an adequate response to German crimes, and it was on this impossibility that Adorno pinned the expectation of prolonged catastrophe and escalation. It is important to remember that this was a prognosis, not a valuation. One can indeed claim that in the decades after 1945 the situation in Europe was catastrophic, particularly so in Germany, but that would be a moral judgment, and Adorno does not offer

one here. A moral judgment might be directed at the way postwar normality has almost entirely concealed the cataclysm, to the extent that one can live in Germany, or in Europe, without having to think about mass murder and death, all the historical interest and days of remembrance and memorials notwithstanding. About the attempt to exterminate the Jews of Europe Hannah Arendt uttered these famous words:

> That was the real shock. Before that we said: Well, one has enemies. That is entirely natural. Why shouldn't a people have enemies? But this was different. It was really as if an abyss had opened. Because we had the idea that amends could somehow be made for everything else, as amends can be made for just about everything at some point in politics. But not for this. *This ought not to have happened.*… [S]omething happened there to which we cannot reconcile ourselves.[21]

But what does this mean? No death can be made good, and suffering only rarely. Every murder is, as Shakespeare wrote in *Macbeth*, a breach in nature. Yet if we follow Hannah Arendt and refuse to place the extermination of Jews in the continuum of war and peace, destruction and reconstruction, barbarization and recivilization, then we must regard the fact that after 1945 (and more rapidly and more thoroughly than after 1918) Germany sought precisely *to make amends for its crimes*—through transfers of money (some shamefully late), through building a stable democracy, through integration with the West, through the condemnation of antisemitism and the Nazi ideology—*as a moral scandal*. Or we must doubt the sincerity of those amends; we must suspect that they are no more than skin deep, that the recivilization of the Germans will last only as long as postwar prosperity, that an economic crisis would undo everything.

But what would be the point? No one today can seriously wish that the catastrophes Adorno predicted in 1944 had in fact occurred. And even were another civilization cataclysm to befall Germany, scarcely anyone would conclude that it was a result of the previous one, or that the democratic institutions and civil manner of postwar Germans had been a mere phantom, dissipated like vapor in a stiff wind. Though much of what Germany after 1945 did or (more often) did not do has been rightly criticized for its moral failings, we can hardly wish that the country's postwar development (first in West Germany and then, after 1990, in unified Germany) had taken a *completely different tack*. Germans after 1945 did not "restore" Nazi Germany; they institutionalized the basic features of a civic order that before 1933 had existed only in nascent form, which is why the Nazis were able to transform it so easily into a racially defined *Volksgemeinschaft*. In East Germany the socialist idea of a national community

occasionally manifested similar language because both Communist and Nazi movements formed in the struggles of the 1920s and remained committed to the symbols acquired during those years. Once in the Soviet Union's triumphant sphere of power, East Germany followed a mostly unsurprising path. What was surprising was the path taken by the Federal Republic of Germany, at least through the 1960s, when in the wake of the Spiegel Affair and the passing of the Emergency Laws many expected a backslide into dictatorship. And it is this fact—that the prophesied postwar catastrophes did not take place, not the speed at which Germany initiated a genocidal world war with little resistance from its population, nor the massive military retaliation and destruction needed to end it—that shows most forcefully that modernity can coexist with extreme violence and still have, or appear to have, our trust. Yet since we usually direct the how-on-earth question to the years 1933–45, *since we usually ask ourselves how the actual catastrophe was possible instead of considering the vexing question as to why the predicted catastrophes never came*, we appear to think that a loss of trust is the likelier outcome.

But why should modernity's coexistence with mass murder vex us? Haven't we grown accustomed to the idea while reading books such as *Dialectic of Enlightenment* or *Modernity and Ambivalence*, works that devote more time to understanding catastrophe than continuity? Theoretical models like these operate on the belief that there is a mystery to be solved. The truth, however, is that *there are no mysteries,* only *mystifications*, either of the contrived kind, such as when we describe something ordinary in an unusual way that causes others to fall into speculation, or of the reflective kind, such as when reality collides with our routines or theories to an extent we can't ignore yet fails to dislodge them, so attached to them have we become. If we fail to grasp the origin of the problem and continue to project mysteries onto the world, the world will continue to look back at us in kind. What is mysterious is not the catastrophe but our ability to integrate it with our lives. *We mystify the catastrophe to deliver normality from the burden of constant vexation.*

In "Thoughts for the Times on War and Death" (1915), Sigmund Freud wrote that the violence of the World War—at the time no one knew it would soon become the first of two that century—dashed our hopes that civilization could prevent relapse into barbarism.[22] Primo Levi wrote something similar about Auschwitz: even if Auschwitz does not surpass the human barbarism of past centuries, its special infamy endures because we thought we had put such behavior behind us.[23] This particular form of disillusionment was made possible by the historical optimism that emerged at the end of the eighteenth century, and doubtless characterized the nineteenth century and parts of the twentieth, but which in the 1950s ceased to dominate precisely because of

mass disillusionment. Freud wrote that such lessons in disappointment help build our sense of reality. Yet if the feeling of mystery about the twentieth century expressed nothing more than the feeling of disillusionment, the former would have disappeared once the latter gave way to reality, but this was not what happened.

Each century provides its own anthropological lessons. The individual is, to modify Marx's famous formula, the ensemble of his historical conditions—past, present, and future. And the individual is always that which before had seemed impossible—in good as well as in evil. Yet we know how quickly standards can change. What prevents us from simply adding to past lessons yet another?

The form of life we have taken to calling *modernity* not only *ought not* to have been compatible with the occurrence of violent excess in the twentieth century; once it did occur—for nonmysterious, specifiable reasons—modernity at least *ought to have perished* as a result. All culture and cultural criticism after Auschwitz, Adorno wrote, is garbage.[24] This is a moral pronouncement (see above), not an empirical description, and ultimately an expression of the indignity that art and culture failed to diminish our homicidal tendencies. But, as Adorno himself knew well, this objection to art and culture was an objection on paper only; its purpose was to warn us of answering barbarism with self-barbarization.[25] Our persistent trust in modernity despite our knowledge that it is other than we presumed it to be is the subject of this book.

CHAPTER 1

Trust and Modernity

How strong and pure the pulse of life is beating!
Dear earth, this night has left you still unshaken,
And at my feet you breathe refreshed; my greeting
To you, ethereal dawn!
　　—JOHANN WOLFGANG VON GOETHE, *FAUST PART TWO*

"I've been reading that detective story. It's about a poor devil who's arrested one fine morning, all of a sudden. People had been taking an interest in him and he knew nothing about it. They were talking about him in offices, entering his name on card indexes. Now, do you think that's fair? Do you think people have a right to treat a man like that?"

　… "Tell me, Doctor. Suppose I fell ill, would you put me in your ward at the hospital?"

"Why not?"

Cottard then inquired if it ever happened that a person in a hospital or a nursing home was arrested. Rieux said it had been known to happen, but all depended on the invalid's condition.

"You know, Doctor," Cottard said, "I've confidence in you."
　　—ALBERT CAMUS, *THE PLAGUE*

If you cannot rely on someone not to kill you, you can even less rely on him to keep his word.
　　—BERNARD WILLIAMS, *TRUTH AND TRUTHFULNESS*

TWO SCENES FROM THOMAS MANN'S
CONFESSIONS OF FELIX KRULL

It is a cheery autumn morning and Felix Krull has just boarded a train bound for Paris, where he is to take up the hotel position secured for him by his godfather:

My ticket, of course, was in perfect order, and in my own fashion I relished the fact that it was so irreproachable—that consequently I myself was irreproachable, and when, in the course of the day, the honest conductors in their smart uniforms visited me in my wooden carriage to examine and punch my ticket, they returned it each time with silent official approval. Silent of course and expressionless: that is, with an expression of indifference that was barely animate and bordered on affectation. This prompted me to reflect on the aloofness, the standoffishness, amounting almost to lack of interest, which one human being, especially an official, feels compelled to manifest toward his fellows. This honest man who punched my valid ticket earned his livelihood thereby; somewhere a home awaited him—there was a wedding ring on his finger—he had a wife and children. But I had to behave as though the thought of his human associations could never occur to me, and any question about them, revealing that I did not regard him simply as a convenient marionette, would have been completely out of order. On the other hand, I had my own particular human background about which he might have inquired. But this, for one thing, was not his privilege and, for another, was beneath his dignity. He was concerned only with the validity of the ticket held by a passenger who was no less a marionette. What became of me once the ticket had been used was something he must coldly disregard.

There is something strangely unnatural and downright artificial in this behaviour, though one must admit that to abandon it would be going too far for various reasons—indeed, even slight departures usually result in embarrassment. This time, in fact, toward evening, when the conductor, lantern at waist, returned my ticket, he accompanied it with a prolonged glance and a smile that was obviously inspired by my youth. "You're going to Paris?" he asked, though my destination was clear to see.

"Yes, inspector," I replied, nodding cordially. "That's where I'm bound."

"What are you planning to do there?" he took the further liberty of asking.

"Just imagine!" I replied. "Thanks to a recommendation, I am going into the hotel business."

"Think of that!" he said. "Well, lots of luck!"

"Good luck to you, too, chief inspector," I replied. "Please give my regards to your wife and children."

"Yes, thanks—well, what do you know!" He laughed in embarrassment, mixing his words up oddly, and hastened to leave. But on his way out he tripped over a nonexistent obstacle, so completely had this human touch upset him.[1]

Even in third class, modernity's code of behavior prevails. Sociologists call it functional differentiation; agents of radical social critique call it alienation. Those familiar with the terrain know what to expect when paths cross. The code provides a sense of trust—the belief that people will adhere to their socially assigned roles—and in this sense, trust in the general project of modernity is no different from trust in the train service. That things can nevertheless skid off the rails is shown by the conductor's stumble after his cordial exchange with Krull. The lesson: fulfilling a role also means confining oneself to it. Confinement to a role ensures proper behavior, but it also communicates awareness that people are more than the roles they play. This combination of strict adherence to roles and the knowledge that those roles are only skin deep constitutes a uniquely modern form of social interaction.

Later in the novel, the protagonist embarks on another train trip. This time he's no longer Krull, the aspiring hotel clerk, but Marquis de Venosta, an aristocrat traveling the world:

The train had left Paris at six o'clock. Twilight fell, the lights went on, and my private abode seemed even more elegant than before. The conductor, a man well advanced in years, knocked softly on the door and raised his hand to the visor of his cap as he entered; returning my ticket, he repeated the salutation. Loyalty and conservatism were to be read in that honest man's face; as he went through the train in the course of his lawful occasions, he came in contact with all strata of society, including the questionable elements, and it was a visible pleasure for him to behold in me wealth and distinction, the fine flower of the social order whose very sight raised and refreshed his spirits. About my well-being once I had ceased to be his passenger, he assuredly need have no concern. For my part, in place of any kindly questions about his family life, I gave him a gracious smile and a nod *de hat en bas* that assuredly confirmed him in his conservative principles to the point where he would gladly have fought and bled for them.[2]

In this scene the characters keep to their assigned roles. The conductor provides service befitting first class—he salutes, he bows, he says, "Mr. Marquis," he receives a tip—while the first-class passenger is made to forget that he's paying for it. The scene recalls earlier times when such behavior was more about representing one's social pedigree than fulfilling an outward role. The phony marquis and the conductor perform a ritual that communicates—and, in doing

so, produces—trust in each other and in the social structure. They affirm the distance between them while forming an allegiance against those "questionable elements." As in the previous scene, the social expectations are clear to all.

In premodern and modern periods both, social stability rests on mutual expectations that allow society to presume its own stability as given. The difference is that premodern social stability was secured by representing one's social class while modern social stability is secured by minimizing one's horizon of expectations. The former was about what one did; the latter is about what one doesn't do.

TRUST

Until recently sociology gave little attention to that elementary fact of social life we call trust. In 1968 Niklas Luhmann lamented the paucity of research with trust as its main subject.[3] By 2001 Martin Hartmann spoke of "the flood of publications … that shows no signs of stopping."[4] Today most essays and books on trust, including this one, are able to review only part of the vast mountain of literature on the subject.[5] Generally, those who write about trust share the view that it is one of the most basic elements of social cohesion, if not the most basic of all. Luhmann writes:

> In many situations … one can choose in certain respects whether or not to bestow trust. But a complete absence of trust would prevent him even from getting up in the morning. He would be prey to a vague sense of dread, to paralysing fears.… Anything and everything would be possible. Such abrupt confrontation with the complexity of world at its most extreme is beyond human endurance.[6]

Despite the apparent intuitiveness of this description, there is much disagreement about the phenomena trust comprises. For instance Claus Offe rejects the idea of trust in institutions, while Anthony Giddens believes that "the nature of modern institutions is deeply bound up with the mechanisms of trust in abstract systems."[7] Another view insists that trust is purely interpersonal, entirely graspable with the tools of rational choice theory.[8] Still another understands trust as something like the social equivalent of ether in early modern physics: a hard-to-define universal medium.

The range of what is understood under the notion of trust opens the door to conflicting views but also constitutes its theoretical charm and intellectual appeal. More to the point is the fact that attempts to reduce trust either to the abstract or to the interpersonal are unconvincing.[9] Trust in society does not arise from the belief that we could theoretically verify the trustworthiness of its

every member. Nor is it plausible to think that interpersonal trust gives rise to social trust as it moves from the intimate to the institutional. David Hume disputed that a continuum existed between the two, pointing out that trust in people is different in kind from trust in political systems.[10] (To see the truth of this, consider how distrusting others differs from distrusting institutions. I will say more about the difference below.) The absence of a continuum does not mean that there is nothing connecting the abstract with the interpersonal, however. There can be no trust in institutions or society in general without a relationship to the individual. It wouldn't make sense to speak of social trust if we didn't assume it affected our behavioral expectations of others.

I want to address this relationship not on its own but as it pertains to conditions of social cohesion. One might argue that sociologists must presume the precariousness of social stability in order to discover what prevents its disintegration, whereas members of society, even if sociologists by training, must presume the robustness of social stability in order to act at all—at least until this presumption is palpably refuted. Even then, if they outlive the period of instability they'll try to go on with their lives by regarding it as an exception, or by henceforth expecting the unexpected.[11]

Thomas Hobbes is the first thinker to see trust as a cornerstone of social stability, and the first to build an entire political philosophy around it. This became possible only after forms of premodern trust became obsolete—in other words, only after interpersonal and local-level trust ceased to provide sufficient certainty about others' behavior.[12] Hobbes developed his concept of state sovereignty as an answer to a universal problem: how to keep ourselves safe from others. Hobbes is notorious for his belief that the state of nature is "a war of all against everyone," a condition of permanent insecurity, "continual fear, and danger of violent death."[13] According to Giddens, the existential anxiety that characterizes this world represents the absolute antithesis of trust.[14]

In *Leviathan* the "continual fear" that "anything is possible" is subject to a threefold temporalization. It is that which was *before*, that which looms in the *future*, and that which is *still* the case elsewhere:

> It may peradventure be thought, there was never such a time nor condition of war as this; and I believe it was never generally so, over all the world.
>
> But someone may say: there has never been a war of all against all. What! Did not Cain out of envy kill his brother Abel, a crime so great he would not have dared it if there had at that time been a common power which could have punished him? Aren't there many places where they live so now? For the savage people in many places of *America* (except the government of small families, the concord whereof dependeth on natural lust) have no government at all, and live at this day in that

brutish manner as I said before. Howsoever, it may be perceived what manner of life there would be where there were no common power to fear, by the manner of life which men that have formerly lived under a peaceful government use to degenerate into, in a civil war.[15]

Hobbes used the concept of "war of all against all" to describe what would happen if the institutions designed to restrict violence failed. A state such as this, where no one trusts anyone, never really existed—Hume made that clear in his *An Enquiry Concerning the Principles of Morals*—yet the idea is more than theoretical. Hobbes's belief that a violent state of nature necessitates state sovereignty marked a historical caesura. *The onset of modernity brought with it a transformation of trust as a means of social cohesion.*

Let's turn again to the general notion of trust. Since its meaning is disputed, I would like to propose my own definition. The everyday sense of the word is a good place to start. What does it mean to be trustworthy? We are trustworthy when we keep our promises, the implicit as well as the explicit. But this is only half the story. We wouldn't call someone trustworthy who threatens to hurt us and then makes good on it. Reliability alone does not make a person trustworthy. *Being trustworthy is not only about keeping promises; it means refraining from saying and doing certain things.* No less important than knowing what to expect from a person is knowing what *not to expect.* "One is not likely to be reassured by someone who says, 'I promise not to murder you,'" Bernard Williams once wrote.[16] In some situations a statement like this could destroy trust itself.

Just as we can trust in specific people (or not), we can trust in society (or not). Assume we heard on the morning radio that the government had decided to suspend all punishable laws for four weeks as part of an experiment to overhaul the legal system.[17] How would this change our lives? For starters, we'd have many new questions to consider. What if my neighbor dislikes me? What if another neighbor owes me money? How violent are the skinheads I see on the bus in the mornings? Should I pack my kitchen knife before leaving the house? For most of us, these are thoughts we don't entertain because we *have no reason* to entertain them. If I become a victim of a violent crime, no one will blame me for not being armed. I know it's possible to become a victim, but it's not something I expect. And even if I did, the society in which I live makes it difficult to prepare for such a scenario to begin with. Strict gun laws are part of Europe's normative framework, which is why Europeans are so proud of them. Life in European society is, to the point of compulsion, fundamentally shaped by the existence of social trust.

In addition to trust in people and trust in society, there is trust in the world as a whole. This trust expresses itself in our confidence that the sun will rise again tomorrow. As with other forms of trust, trust in the world goes beyond reliability. Residents of Cape Horn can count on stormy weather but that doesn't mean they trust the waters. For that they'd need to know that currents will not lead them off course and winds will not capsize their boat. Those who live in risky regions must take precautions that those in safer areas needn't. In Germany people have no reason to shake out their shoes in the morning; in regions with scorpions they do.

Most of us live in societies where there are high levels of each kind of trust. Though we may not trust everyone, we trust our families enough to sleep soundly in their presence. (Those who lack this trust turn to the psychologist, the social worker, or the courts.) Though we are sometimes disappointed or deceived by friends, most of us continue to cultivate friendships or to believe in their possibility. Though we may find crime rates worrying or avoid certain train stations after midnight, we see no need to make preparations for a war of all against all. (Few go further than installing an alarm system.) We trust in the reliability of the electricity supply, we trust in the proper functioning of our technology and institutions, and we trust in the regularity of the weather and in the temperateness of the climate. Indeed, our trust is so great we fly into a rage at the slightest irregularity—power outage, train delay, inclement weather. Our irascibility and vexation show that every form of trust can be shaken. *Without constant and steady affirmation, trust founders.* A prudent announcement over the train intercom telling us to beware of pickpockets between Bern and Basel turns what could have been a peaceful journey into one spent worrying about theft. *Trust tolerates neither ambivalence nor ambiguity.* The person who answers the question "Do you trust him?" with "Sometimes" doesn't understand the concept of trust. The same is true for the one who answers, "I don't know." Those who don't know if they trust *don't.*

All trust is fragile, and the existence of what Erik Erikson called "basic trust"—a deep-rooted trust acquired in infancy—is doubtful.[18] Historically speaking, however, trust levels in modernity are unusually high. Indeed, the amount of trust to which we are accustomed is so great we have difficulties imagining life in societies with less.

The three kinds of trust I've addressed—trust in people, trust in society, trust in the world—imply trust at varying reaches. Proximate, or specific, trust takes place within reach, as it were (friends, family). Distant, or general, trust is directed toward out-of-reach quantities (the cosmos) and complicated processes (our monetary system) whose incomprehensibility seems to be a precondition

for everyday life (as in the routine exchange of money). Yet these forms of trust are not always distinct. Sometimes distant trust shapes our handling of the familiar (money), and proximate trust the unfamiliar (the stranger for whom I open the door). The conventional categories of proximity/distance and familiar/unfamiliar, therefore, are not entirely suited for building a comprehensive phenomenology of trust. Trust is a unique form of comprehending the world, and its structures do not lend themselves to easy paraphrase.

To understand trust, it is important to note that *distrust is not the opposite of trust.* Rather, trust and distrust are two complementary modes of describing our condition in the world. Both serve the same goal: reducing the uncertainty of expectations. What would trust be without distrust? Just as Wittgenstein believed that the assertion "*x* cannot be doubted" is valid only if we know what it would mean to doubt *x*, it only makes sense to speak of trusting in, say, the continued existence of the law of gravity if we have an idea of what it means to distrust it. *One can't speak of trust until there exists a practice of distrust.*

Here I want to consider a distinction to which Luhmann attaches great importance: that between confidence and trust. "Both concepts," Luhmann writes,

> refer to expectations which may lapse into disappointments. The normal case is that of confidence. You are confident that your expectations will not be *disappointed: that politicians will try to avoid war, that cars will not break down or suddenly* leave the street and hit you on your Sunday afternoon walk. You cannot live without forming expectations with respect to contingent events and you have to neglect, more or less, the possibility of disappointment. You neglect this because it is a very rare possibility, but also because you do not know what else to do.
>
> Trust, on the other hand, requires a previous engagement on your part. It presupposes a situation of risk. You may or may not buy a used car which turns out to be a "lemon." You may or may not hire a babysitter for the evening and leave him or her unsupervised in your apartment; he or she may also be a "lemon." You can avoid taking the risk, but only if you are willing to waive the associated advantages. You do not depend on trusting relations in the same way you depend on confidence, but trust too can be a matter of routine and normal behaviour.[19]

In other words, giving something or someone your trust means becoming active in an uncertain situation. Like confidence, my trust is liable to disappointment, but unlike confidence, I must *decide* to trust.

The problem with Luhmann's concept of confidence arises in those circumstances when, as Luhmann writes, "you do not know what else to do." My confidence in the continued validity of natural laws is of a different sort than my confidence that I won't have a car accident, for in the latter case I can at least

assure myself that my car is not particularly accident prone by, say, checking the tread on my tires. I suggest we define confidence as follows: *expectations can be said to be confident when the possibility of their disappointment never, or rarely, arises.* Consider a negative case. We *do not* have confidence in politicians. We are *not* confident they will seek to prevent war and or act in our best interests. And we are not confident in politicians for the same reason we are confident in the law of gravity: we don't know what else to do. But we can nevertheless decide to *trust* a politician. We can do this because we regularly engage in practices to ensure politicians work honestly for the good of society. We answer polls about their personal credibility, we read articles analyzing their character, we pay attention to the reports of investigative committees, and we note the conclusions reached by impeachment hearings. We don't believe what politicians say generally, but we remain in good cheer. The practices we undertake permit us to make assumptions that may be counterfactual (and in forlorn hours declared quixotic) but that are only naïve or negligent if we fail to involve ourselves in the political process. Just as the state attorney who ignores clear indications of embezzlement fails to do his job, we would be idiots to take a politician seriously who regularly delivered incompetent speeches. That we didn't hear them is no excuse. We buy the right to political trust with engagement.

PRACTICES OF SOCIAL TRUST

The difference between my confidence that tomorrow stones won't float to the sky and my trust that politicians are more or less honest does not lie in the fact that the one concerns a natural phenomenon and the other a social phenomenon. It lies in the fact that for the latter case there exist practices to make trust possible, while for the former there do not. This can change, sometimes rapidly. Unlike the otherwise fearless protagonists of the French comic strip *The Adventures of Asterix*, we aren't usually concerned about the sky falling on our heads. But we did witness comet Shoemaker-Levy 9's collision with Jupiter, and on occasion we ask ourselves whether something similar might befall us. Such apprehension is nothing new. It's been with us ever since we stopped seeing comets and meteors as future omens and began regarding them as natural phenomena.[20] Thanks to geological studies of the earth and moon and to computer simulations, we now have a pretty good idea of what the impact of a large asteroid could do to our planet.

Confidence in the stability of the celestial dome can crumble, but those who actively distrust it have (at least in our times) never managed to trigger more than minor stirrings of mass hysteria. Such worries were largely confined to a

small group of eccentrics who descried in Edmund Halley's predictions portents of a coming apocalypse. After the comet Halley spotted in 1682 returned in 1795, as forecast, literature on the subject began to boom. By 1830, four years before the comet's next scheduled appearance, scores of books and treatises were predicting the end of the world and the coming of the Antichrist.[21] Despite their urgency, these claims failed to produce anything like a practice of distrust in society at large.

It might easily have been otherwise. Like mass processions and self-flagellation to ward off the plague, or mass demonstrations and prayer to ward off nuclear war, a practice of distrust could have taken hold in advance of the feared collision. Once that practice was deemed effective—once the collision didn't occur—it could have changed the face of Europe. That this didn't happen is not because our constitutions are particularly rational, as the reaction to Halley's comet shows. A likelier cause is the minor role played by the stars in the Greek rationalism and Jewish piety on which our culture is founded.[22] Belief in the stars is tolerated, but only as the leisurely fascination we call astrology. The price for this toleration is the inability to generate binding practice at the collective level.

After Shoemaker-Levy 9 crashed into Jupiter, the public began to consider the damage a similarly sized object might wreak on earth.[23] The response was not repentance and prayer but technology. NASA launched a program to develop strategies for preventing collisions and managed to send a space probe hurtling into a comet. Now questions such as "Can the sky come tumbling down?" have given way to "How big must a bomb be to destroy a comet?," "What is a safe distance for the explosion?," and "Can we count on the missile's accuracy, or do we need volunteers for a suicide mission?" We take these forms of cosmic threat seriously yet we must carry on as if we didn't. In this strategy of emphasis and de-emphasis *controlled anxiety permits the continuation of a tranquil life.*[24]

There is nothing whimsical about this example. After all, we know of at least one culture whose public life was significantly shaped by the idea of cosmic instability, and the idea fostered, rather than impeded, its development. This is hard for us to understand because we believe that confidence in cosmic stability forms the ultimate basis of our lives. This confidence is why we laugh at jokes like this:

FIRST: Do you know that in five billion years the sun will expand and incinerate the earth?

SECOND: Good heavens! How many years did you say?

First: Five billion.

Second: What a relief! I thought you said five million.

Now imagine telling this joke to an Aztec. Every fifty-two years, when the last days of the calendar cycles coincided, the Aztecs thought the world might end. This was when the sun god risked being devoured by the night, an occurrence, it was believed, that would lead to mass earthquake and famine on earth. In preparation, the Aztecs extinguished fires, smashed pottery, and destroyed sacred statues (the last to prevent wronged deities from taking revenge under the cover of darkness). Then, in the middle of the final night, priests sacrificed a prisoner atop the main temple and lit a fire in the victim's chest. If the sun rose the next morning, it meant the forces of darkness had been overcome—this time—and the Aztecs attributed the success to the number of human beings they had sacrificed during the preceding decades. Once convinced that the world would survive for another fifty-two years, the Aztecs quickly resumed their perpetual war against neighboring peoples to ensure a steady supply of victims—and a diet enriched by human flesh.[25]

This all goes to show how little confidence Aztec society had in the stability of the cosmos. To keep the sky from falling, they had to do something, and they had to do it regularly. And because what they did (human sacrifice) seemed effective (the sky never fell), they grew to trust in it. *They redirected emphasis on catastrophe into emphasis on its aversion*. How man victims did they need? Which wars should they fight? Presumably, classic conflicts arose between the clergy, who oversaw human sacrifice, and the political elite (in deciding, say, when a military campaign could be terminated by a truce and the specific terms that applied). *Between general confidence (trust expressed only through the possibility of distrust) and individual trust (trust given on a case-by-case basis) lie practices of social trust. These practices constitute the most fundamental parameters of a society.*

What happens when practices designed to secure a culture's trust, or at least its stability, fall into crisis? The Lisbon earthquake of 1755 is still seen as one of those moments that shook Europeans' basic trust in the world.[26] But it also did more than that: it undermined the very practices with which Europeans had sought to safeguard their way of life. Major catastrophes are always singular events, but they are usually nothing new or earth shattering per se. This is something we saw in the case of the 2004 tsunami, whose only effect on the well-to-do of Europe and America was to stimulate a short-lived rise in charitable donations. The Lisbon earthquake, by contrast, was epoch changing. Religious explanations offered from clerics far and wide were unable to cushion the

shock; quite the contrary. The earthquake further undercut an institution whose authority was already in decline. When the king of Portugal asked the prime minister, the Marquis of Pombal, what could be done, he is said to have replied, "Bury the dead and feed the living." Instead of calling for prayer, Pombal expressly forbade religious exploitation.

The shock of the earthquake quickly spread across Europe, eventually reaching the house of six-year-old Goethe. While writing his autobiography many years later, he recalled how this "extraordinary event" left him "deeply shaken for the first time":

> On the first of November, 1755, occurred the great earthquake of Lisbon, spreading enormous terror over a world grown accustomed to peace and quiet. A large, splendid city, both a port and trade center, is hit without warning by the most fearful calamity. The earth quivers and rocks, the sea rages, ships collide, houses collapse, churches and towers fall on top of them, the royal palace is partly swallowed up by the sea, and the severed earth seems to spit flames, for everywhere the ruins begin to smoke and burn. Sixty thousand human beings, who were calm and content just a moment before, perish together, and the happiest man among them is he who had no time to feel or consider his misfortune....
>
> Indications of this event preceded the tidings themselves over vast stretches of land. Weaker shocks were felt in many places, and an unusual cessation of flow was noticed in many springs, especially those with healing waters. This only made the effect of the news greater when it finally came—first the general information and then, shortly afterwards, the dreadful details. Hereupon, God-fearing persons were moved to wise observations, philosophers offered consoling arguments, and clergymen preached fiery sermons....
>
> Having to hear all of this repeatedly, I was more than a little disconcerted by it in my boyish mind. God, the Creator and Preserver of heaven and earth, who had been presented to me as so very wise and merciful in the explanation of the first article of the Creed, had shown Himself by no means fatherly when He abandoned both the just and the unjust to the same destruction. My young mind tried in vain to resist these impressions, and it was not made any easier for me by the philosophers and scholars when they themselves could not agree on the way to view such a phenomenon.[27]

This last point is crucial. If the clergy could have agreed on an explanation, any doubts about God's "fatherly" character would have seemed downright heretical, even to a youngster. The just and the unjust forced to endure the same suffering, you say? So you think you can see the world through God's eyes? And this just decades after Leibniz published his *Theodicy*, whose central argu-

ment is that the world appears evil only because we lack divine understanding?[28] *Sic transit Gloria fidei*—how quickly the glory of faith passes. Atheists and counterrevolutionaries in every age have made similar arguments. "We mustn't strike the innocent along with the guilty," they say. To which revolutionaries and theologians in every age have replied, "Who says that a single innocent man has suffered?"[29]

Goethe's autobiography not only bears witness to a young boy's bewilderment; it shows someone adjusting his benchmarks to accommodate the demands of the second half of the century. God the Father stepped down, and the biological father, equipped with the virtues of the Marquis of Pombal, took his place:

> The following summer gave me an opportunity closer to home to make the direct acquaintance of the God of Wrath spoken about so often in the Old Testament. An unexpected and most violent hail storm arose, accompanied by thunder and lightning, and it shattered the large panes of glass at the rear of the house (which faced west), damaging the furniture and ruining, among other valuable things, some prized books. What made matters worse for us children was that all the house servants frantically pulled us out with them into a dark passageway where, kneeling, they set up a terrible howling and crying in an attempt to appease the angry deity. Father was the only one to keep his composure, and it was he who meanwhile pulled the casements open and lifted them out of their frames, by which means, to be sure, he saved some panes of glass but also gave a freer entry to the driving rain which followed the hail. As a result, when it was finally over we saw ourselves surrounded by floods of running water in the corridors and on the stairs.[30]

The water was eventually mopped up, but the entreaties of the servants left an unpleasant memory. What stuck with Goethe was the cry of the helpless creature, not the appeal to a higher power. The responses to the earthquake in Lisbon and the hailstorm in Frankfurt made plain that the transcendental homelessness described by György Lukács had arrived, and with it the this-worldliness of human self-reliance. Such metaphysical tailspins have since become a semiregular occurrence, if only in theory. The practices of securing trust have changed: we still get wet, but it no longer leaves us stunned.

TRUST AND SERIOUSNESS—THE *GRETCHENFRAGE*

Practices of social trust provide us criteria for normality, reliability, and predictability. Social trust also constitutes the framework for individual trust, the

former providing the standards by which we assess the latter. Our trust relations tell us about our character, our practices of social trust, our social conformity, the confidence we share with others, even our sanity. The people we call crazy are those with whom we cannot speak seriously or reliably interact due to a noticeable lack of faith in some aspect of the world. We tend to think similarly of those who trust or distrust come what may. Those whose deviation is less pronounced are "credulous" or "overly distrustful." They don't seem to know the world as we do, and we attribute the difference to cognitive deficit. The one type is considered blind or naïve, the other hypercritical or pessimistic. Those who do not take part in practices of securing social trust, or do so improperly, we think of as unserious, or just plain dangerous.

The practices that produce social trust do not exist independently. Their manifold semantics can change from one context to another. When we speak of securing trust, we are describing an aspect of those practices predicated on seriousness. *To be effective, the part of practice that secures trust must exclude irony in all its forms.* At issue here are not our attitudes but the inward reservations that seep through and color our outward actions. None of us know what a given legislator is thinking, but all of us would be outraged if he voted by counting the number of buttons on his shirt—"yea" if even, "nay" if odd. Often, participation alone is sufficient. Collective oaths work like this, provided no one dons a fool's cap during the ceremony. Sometimes, though, the unseriousness is only apparent. Joschka Fischer's symbolic achievement is to have transformed a gesture of disrespect—wearing a casual jacket and sneakers while being sworn in as Hesse's minister of environment and energy—into one of avowal. By rejecting established conventions he affirmed his commitment to office and vouched for the political participation of the Greens, which had long been the party of institutionalized distrust. Today Fischer's sneakers are on display at the German Shoe Museum in Offenbach. The exhibit lacks the least bit of irony, and rightly so.

Luhmann is correct when he says that much of what we do we do because we "do not know what else to do." But when we consciously demonstrate that we do what we do *only* because we do not know what else to do, we call into question the need to do it at all. When demonstrative unseriousness like this serves as a call to action it becomes an aggressive act, an attack on the stability of our social world. We answer such an attack with fear and anger, recoiling from the act or reprimanding its perpetrator, or both. When someone blows bubbles during the national anthem, those around him sing louder, compensating unseriousness with pathos. The reason: mass participation in trust-securing practices spares individual effort. Without it, we'd soon realize how exhausting it is to maintain belief in society's stability and not race around like panicked

ants. *The demonstration of seriousness (or, in some cases, the absence of unseriousness) turns social practices into rituals of trust.*

This is also true at the individual level, as Goethe shows us in this passage from *Faust*:

MARGARETA: Promise me, Heinrich.
FAUST: Whatever I can!
MARGARETA: Then tell me what you think about religion.
I know you are a dear good man,
But it means little to you, I imagine.
FAUST: My darling, let's not talk of that. You know
I'd give my life for you, I love you so;
I wouldn't want to take anyone's faith away.
MARGARETA: One must believe! That's not right what you say!
FAUST: Ah, must one?
MARGARETA: Oh, if only I could show you!
You don't respect the holy Sacraments, do you?
FAUST: I do.
MARGARETA: But you don't want them! You don't go
To Mass or to confession, that I know.
Do you believe in God?
FAUST: My dear, how can
Anyone dare to say: I believe in Him?
Ask a priest how, ask a learned man,
And all their answers merely seem
To mock the questioner.
MARGARETA: Then you don't believe?
FAUST: My sweet beloved child, don't misconceive
My meaning! Who dare say God's name?
Who dares to claim
That he believes in God?
And whose heart is so dead
That he has ever boldly said:
No, I do not believe?
Embracing all things,
Holding all things in being,
Does He not hold and keep
You, me, even Himself?
Is not the heavens' great vault up there on high,
And here below, does not the earth stand fast?

Do everlasting stars, gleaming with love,
Not rise above us through the sky?
Are we not here and gazing eye to eye?
Does all this not besiege
Your mind and heart,
And weave in unseen visibility
All round you its eternal mystery?
Oh, fill your heart right up with all of this,
And when you're brimming over with the bliss
Of such a feeling, call it what you like!
Call it joy, or your heart, or love, or God!
I have no name for it. The feeling's all there is.
That name's more noise and smoke—what does it do
But cloud the heavenly radiance?
Margareta: Well, I suppose all that makes sense;
I think the priest says something like that too—
Just in wording there's a difference.
Faust: It is what all men say,
All human hearts under the blessed day
Speak the same message, each
In its own speech:
May I not speak in mine?
Margareta: It sounds all very well, all very fine,
But there's still something wrong about it,
For you're not a Christian, I truly doubt it!
　　　(3413–67)[31]

The question of belief has come to be known as the *Gretchenfrage*, after Margareta's pet name. It's a crucial question, and one Faust does a poor job of answering. His speech is fine testimony to the eloquence of the religious skeptic who is reluctant to cut all ties to what he doubts.[32] And it makes wonderful use of the poetic possibility contained in a theology that avoids taking a clear stance by appealing to the infinite. But these qualities are also the hallmark of the seducer, of someone who's as truthful as he is dishonest.[33]

Historically, Faust's speech marks a decisive moment in the functional transformation of religious discourse in the public sphere, when professions of faith became personal opinions divorced from obligation. Faust insists on his inner intent, while Margareta insists it can't be about that, for if it were, then the difference between the terminology of the priest and that of the lettered skeptic

would be immaterial (which is exactly Faust's position). What's important for Margareta is not the private expression of a feeling or mood but an earnest declaration of commitment. Faust wants to bed Margareta, but is he someone she can depend on, or is he the kind of wealthy traveler who's wont to leave a pregnant woman stranded? She would like to let him have his way with her— "I'd leave you my door unbolted tonight" (3506)—but first she wants to find out if she can trust him. So she asks him whether he is a responsible man, which is to say, whether he honors the sacraments (in particular: marriage), whether he believes in God (an authority to which he must answer), whether he is ready to profess himself a member of the Christian community (whose values and norms he shares and obeys). Margareta measures personal trustworthiness by devotion to social standards. Faust fails the test.

Faust can be honest—poetically and theologically adroit, even—yet still appear disingenuous. For him, religious profession and social position are mostly unrelated.[34] Faust believes that the path to transcendence is purely individual and sees pantheistic harmony in individual plurality. But Margareta didn't inquire about his theology, and were she a theologian, she would have questioned his desire for transcendence without responsibility. What she wants to know is whether he'll leave her in the lurch. Quick assertions do not suffice. She wants to know where he stands with regard to religion. Faust says he honors the sacraments, but this is mere semantics. He honors them as he would any superstition, because he respects the freedom of others to believe what they want.[35] His talk of honor represents a form of politeness in a secularized society; Margareta's represents an earnest involvement in a trust-securing ritual. Faust's use of the word *honor* is flippant, but unlike Margareta he takes no notice; he is too busy engaging in a different ritual: securing peace through mutual respect. One does not offend fellow citizens in their religious convictions, he assures her, least of all those one loves.

Faust and Margareta live at a moment in history when distinct practices of social trust exist side by side, and occasionally collide. In this era of potential collision a person's trustworthiness cannot be settled once and for all. Margareta realizes this but instead of drawing the consequences she surrenders, letting Faust talk her into slipping her keen-eared mother an (ultimately fatal) sleeping potion. Though Faust fails to grasp the meaning of Margareta's question, it still touches him emotionally, which is why he must chastise Mephistopheles for his irony:

> To your vile mind, of course, it's merely quaint
> That that dear loving soul, filled with her faith,

The only road to heaven that she knows,
Should so torment herself, poor saint,
Thinking her lover's damned to everlasting death!
(3522–27)

Faust privatizes Margareta's belief as he did his own, enjoying the erotic entice-
ment of her innocence without incurring even a modicum of obligation. Me-
phistopheles is free of such nonsense. Ironist that he is, he understands Marga-
reta's question quite well:

I listened to it all most carefully.
The learned Doctor was catechized!
I hope he will find it all edifying.
Girls always check up, if they're well-advised,
On one's simple old-world piety;
Their theory is, if he swallows all
That stuff, he'll be at our beck and call.
(3528–33)

Mephistopheles is not only an ironist; he's a cynic (a compensation for the
rapturous ecstasies of his contractual partner and future friend). He provides
Faust with an explanation of the *Gretchenfrage*, but Faust cannot accept it. If
he did, he would see the paltriness of his own pleas and the true motives of his
actions, and the seduction would either fail or become a calculation of the
dangerous liaison variety. Either way, Faust could no longer be in love. And it's
just this feeling that he wants, be it due to ennui or to some less innocuous mo-
tive. Can Freudians, schooled in the belief that romantic attachment is nothing
more than sexual overestimation, ever truly fall in love? They can, and do, of
course, but the voice of theory must hush to a whisper in the process.

The trick is knowing the proper place for such reflection. Though they pos-
sess special insights into the inner workings of society, sociologists read the
newspaper and vote just like everyone else. A conundrum remains, however.
Luhmann puts it like this: "If everything we know ... we know though the mass
media," "how is it possible to accept information about the world and about
society as information about reality when one knows how it is produced?"[36]
The problem can be easily misconstrued. It's not about "being in the know"
or "having peeked behind the curtains," though some sociologists, especially
those who practice social criticism, understand it this way. It's really about a
hesitation—one accompanying a certain form of understanding—to truly ac-
cept the seriousness of the matter. That the New Left of the 1960s appeared to

be the practical embodiment of this attitude is no accident: it was preceded by a refusal whose effect was the dispassionate language of sociology. Adorno's unwillingness to commit his theory to practice reflected a belief in the limited viability of theory; his ethical melancholy arose from a strained desire for consonance between theory and practice despite that belief. Habermas attempted to escape the dilemma by turning to counterfactual assumption. But here, too, counterfactual assumptions can't serve their function when we regard them as such. Margareta was right, "One must believe!"—at least to some extent, anyway. "So I have heard and do in part believe it," is how Shakespeare's Horatio puts it in *Hamlet*.[37] The seriousness of practice must be placed before the seriousness of theory, for an activity cannot and should not be practiced from the viewpoint of its contingency. If the participant doesn't suspend second-order reflection, he does justice neither to practice nor to theory. Theory demands nothing more than an idea and a dedicated theoretician who serves as a first-to nth-order observer. Practice demands a view of the world that is both group picture and self-portrait. *To engage in activities of social trust is to produce an image of what our world is and should continue to be.*

TRUST AND THE CONSTRUCTION OF THE *WE*

The question is not, Have we portrayed ourselves correctly? The question is, Do we believe one another? Do we believe in one another? Such belief depends on social relations, and intuitively we know that social relations are, at root, constructions. Yet we intuitively resist sociological theories that make explicit the constructedness of social relations because the obfuscation of this truth is a precondition of securing trust. To be effective, the practices that secure trust must represent and continually reproduce the conditions of normality. The definition of normality can change, and when it does it's almost always due to crisis, as my discussion of *Faust* makes clear. But whether in times of crisis or in times of order, *we create social trust by continually reaffirming a set of beliefs about what is normal. And to do this we must continue to presuppose the set of beliefs we want to reaffirm.* Our beliefs are flexible—we can modify some without calling into question all—and hence capable of weathering crises at the micro level. *The practices of social trust supply us with a steady stream of answers to the questions: Who am I? Who are you? Who are we?*[38]

Though I have argued that we must resist the temptation to reify our beliefs into a system, decisions about which trust-securing practices to prioritize are a source of constant conflict, sometimes assuming existential proportions. Sophocles' *Antigone* is a poetic account of this conflict. Two interpretations

have dominated its reception. One sees Antigone as the symbol of a humanity that defies the dictatorial pretensions of the Theban king Kreon. The other, more in keeping with the Greek notion of tragedy, sees an irresolvable conflict between two equally legitimate principles.[39] A third, more convincing, account is that of Christian Meier, who points out that Kreon's decision to forbid the burial of Polyneikes in Thebes is in keeping with the customs of the time, which prohibited traitors from being buried within the polis.[40]

Antigone, Polyneikes's sister, follows one of those customs when she secretly pours earth over her brother's body in a symbolic act of burial. When officials remove the dirt, she repeats the ritual, but this time she is caught and brought before Kreon. In her own defense, she argues that Kreon's decree cannot trump the unchangeable laws of the gods.[41] Where Kreon invokes absolute political power, Antigone insists on a prepolitical—which is to say, traditional—legal order. Kreon's position depends on the citizens of Thebes consciously refraining from traditional duty and piety and declaring their loyalty to the polis and the sovereign who embodies it. Kreon's tyranny is the law of the city; he legitimizes it by claiming that anarchy that would reign in his absence:

> Whoever is put into power by
> The city must be obeyed in everything—
> In small things, and what's just, and the opposite.
> There is no greater evil than lack of rule.
> This is what brings cities to ruin …
> … what does save the skins of most of those
> Who act right is obedience! Therefore—
> We must safeguard the orders of the rulers.[42]

In Livy's *The History of Rome*, we find a similar logic in the words of general Lucius Papirius Cursor as he attempts to justify punishing a popular lieutenant for his overzealousness.[43] Hobbes's version of the argument is resolute. The question of right and wrong does not arise; those that pose it call the polis into question. The Thebans who follow Kreon's decree demonstrate who they are and want to be: subjects. They pledge loyalty to the representative of political power and affirm the stability of the polis. From this perspective, Antigone is an anarchist, yet this is not how she sees herself. Her intent is not to challenge the city or its sovereign or to make a larger point or affirm a competing order. She acts from her individual sense of duty alone, and she is ready to accept the consequences should it conflict with the laws of the polis. Her act is *autonomos*, literally by her own law. It's political only insofar as she introduces the

possibility of autonomous action, only insofar as she insists publicly that *exceptions must exist.*

Antigone's standpoint wins sympathy. Kreon's son, Haimon, reproaches the king for his absolutism:

> HAIMON: That's not what people of Thebes, who share this city, say.
> KREON: Should this city tell me what commands to give?
>
> . . . .
> Must I rule this land for someone else, not myself?
> HAIMON: There is no city that belongs to one man only.
> KREON: Isn't the city held to be his who rules?
> HAIMON: You'd do well as the single ruler of some deserted place.[44]

For Haimon, a ruler may never understand himself as an autonomous authority, even when he's the only one making the decision. By the time Kreon finally comes around to this way of thinking, nothing can be done. Antigone, having been sentenced to death, commits suicide, as do Haimon, who loves her, and Kreon's wife, who can't bear to outlive her son. To Kreon the final chorus exclaims, "Ah, you seem to recognize what justice is, too late!"[45]

At issue is not so much Kreon's decree as the absoluteness of its enforcement. Kreon believes that the stability of the polis is secure only when its citizens—men and women all—demonstrate unconditional, uninterrupted loyalty. Every edict packs constitutional force, and the claims of politics are total. Written at the beginning of Periclean Athens, *Antigone* is a warning about direct democracy's slide into tyranny. Symptomatic of this slide is the *excessive importance placed on participation in practices of institutionalized trust.*

A distinguishing feature of the Greek polis was its sensitivity in matters regarding religion. Three prominent religious skeptics were reported to have been exiled from Athens: Protagoras, who reportedly said of the gods, "I cannot know either that they exist or that they do not exist" and whose writings were later burned;[46] Anaxagoras, who was fined and ostracized;[47] and the notorious Diagoras, who escaped conviction only by fleeing the city with a bounty on his head. In his highly readable *The Trial of Socrates*, I. F. Stone vehemently denies that these events took place.[48] But even if they didn't, we can be certain that Socrates was tried for impiety. The charges brought against him had a political aspect as well. Socrates moved in aristocratic circles whose members were sympathetic to Sparta—Sparta's victory in the Peloponnesian War bolstered the political power of the aristocracy in Athens—and who, in addition to their lack of patriotism, were suspected of religious freethinking.[49] Sixteen

years earlier, in 415 BCE, shortly before the Athenian fleet set sail for Sicily, drunken youths vandalized pillars of Hermes lining the city streets. The facts of the incident were never clarified, but during the investigations it emerged that Alcibiades, the young star of the *jeunesse dorée* who consorted with Socrates, had recently profaned the Eleusinian Mysteries in a parody he performed at a private party. Alcibiades was later tried in absentia and sentenced to death. This incident only reinforced the view that Socrates corrupted youths and worshipped false gods.

Religious intolerance in democratic Athens resulted from the radical primacy of politics about which Sophocles had warned. For Athens, the *Gretchenfrage* was "What do you think about the gods of the city?" The correct answer— "I respect them"—would never have been followed by "But you don't want them!" The point was to demonstrate political reliability through participation in the collective practices that symbolized it. Although Socrates, like Antigone, invoked divine authority for his actions, his behavior was grounded in autonomy. Socrates justified abstaining from the public life of the democracy on the basis of a law he made up by and for himself.[50] According to Plato, Socrates' "seeking and searching in obedience to the divine command" kept him "too busy to do much either in politics" or his "own affairs."[51] Socrates was not a reliable citizen and had no desire to be. His refusal to adhere to the conventions of a contrite defendant proclaimed his distrust of Athenian democracy. It was a distrust that would cost him his life. The historical reputation of Athens survived the irresponsible planning of Pericles, the disaster of the Peloponnesian War, the imperialistic rhetoric, the disfigurements of war, and the virtuosic attacks of Aristophanes, but it never recovered from the death of Socrates.[52] Posterity would remain shaken, but it never grasped the underlying conflict between autonomy (laws imposed from within) and heteronomy (laws imposed from without) and the symbolic expression of that conflict in the struggle over the meaning of collective trust-securing practices.[53]

The Roman persecution of Christians arose from a similar conflict: a minority group's autonomous wish to be exempted from participation in practices used by a dominant group to demonstrate political trustworthiness. As the persecutions continued, expanding geographically, the original problem became occluded by internal dynamics, but this in no way diminished its importance. Pliny the Younger, serving as imperial governor of Bithynia in Asia Minor, wrote to Trajan for advice on handling Christians whose only crime was superstition. The emperor counseled judiciousness, writing that "it is impossible to lay down a general rule to a fixed formula." "These people," he explained, "must not be hunted out; if they are brought before you and the charge against them is proved, they must be punished, but in the case of anyone who denies that he

is a Christian, and makes it clear that he is not by offering prayers to our gods, he is to be pardoned as a result of his repentance however suspect his past conduct may be."[54] Trajan spoke of *our* gods, not *the* gods. What Jan Assmann calls the Mosaic distinction, the distinction between the right gods and the wrong gods, had not yet reached this part of the Mediterranean.[55] Worshipping other gods in private was not a crime, provided one worshipped the Roman gods in public. Only, this display of loyalty—the Roman gods were believed to protect the Roman Empire—contradicted Christians' autonomous idea of religion. Their concept of god drew its legitimation from the Mosaic distinction. They answered the question "Who are we?" solely with "We are Christians."[56] Paul's belief that his identity as a Christian was compatible with his identity as a citizen of Rome did not gain theological acceptance, though it could have made life easier on both sides.[57] The refusal to participate in trust-securing practices was just as relevant for forming Christian identity among the Christians as it was for ascribing Christian identity among the Romans (and for forming Roman identity in return). In a letter to Trajan, Pliny wrote:

> I considered that I should dismiss any who denied that they were or ever had been Christians when they had repeated after me a formula of invocation to the gods and had made offerings of wine and incense to your statue (which I had ordered to be brought into court for this purpose along with the images of the gods), and furthermore had reviled the name of Christ: none of which things, I understand, any genuine Christian can be induced to do.[58]

The practices of social trust serve to mutually affirm who we are and what we are—insofar as we submit and adjust to laws imposed on us from without.

Historically, obligations to follow heteronomous laws, along with the consequences for those who evaded them, varied greatly. For instance, male members of the Sioux could exempt themselves from the requirements of manhood by becoming *winktes*—men who dressed in women's clothes and carried out tasks traditionally assigned to females.[59] Of course, this was less an evasion of heteronomous laws entirely than an adherence to a different set of them. The custom was a prudent way of unburdening a small, tight-knit warrior society from having to deal with what the majority saw as weaklings, cowards, and gripers. Whether this was a halfhearted form of tolerance or an especially perfidious form of intolerance is not important here. What's important is to point out that societies do not possess some core culture safeguarded by rituals and from which all must draw their identity or face ostracization. The Mongol Empire was the most truly tolerant society of its time, going so far as to punish outbursts of religious intolerance among its subjugated populations. This is no

surprise, for the Mongols' impulse to conquer sprang from a sole desire: to expand beyond the confines of Karakorum. The Muslim conquests, by contrast, were driven by religion. They proved to be a similarly dramatic but far more consequential turn of events.

The recent tendency to idealize conditions on the Iberian Peninsula under Muslim rule has been fueled by a desire to find historical proof of a multicultural paradise. Though the architecture of Al-Andalus may have been superior to that of España, people forget that massacres against the Jews took place in eleventh-century Granada. It is nevertheless remarkable that despite the religiously motivated expansionism of the Muslim world one of its regions did permit freedom of thought and expression. Al-Andalus was dominated by Islam, but the *Gretchenfrage* did not determine who participated in society. The enlightenment that flourished there had nothing to enlighten in the usual sense of the term: science and thought unfolded in an environment of plurality that knew nothing of disciplinary monism.[60]

Experiments with similar forms of intellectual liberalism would deeply shake the Christian Occident along the Paris-Rome axis. Like political radicalization in parts of the ancient world, the religious monopoly in the Christian Occident foreshadowed modern totalitarianism. The politics of totalitarian religion was the predecessor of totalitarianism as political religion.[61] At issue was less a claim of infallibility or universalism or a radicalized Mosaic distinction than the binding power over Christian life in a Christian society.

On March 7, 1277, the bishop of Paris published a list of 219 philosophical theses to be henceforth condemned. The censured teachings did not represent an official, unified theory in competition with Christianity, but the disparate views of medieval scholars trained in Aristotle, Averroes, and Avicenna.[62] Whether the independence from Church doctrine reflected a desire for autonomy or sprang from new heteronomous laws, the positions these scholars took were heretical. Here are some examples:

- (24) That, besides the philosophic disciplines, all the sciences are necessary but only on account of human custom.
- (40) That there is no more excellent state than to study philosophy.
- (145) That there is no rationally disputable question that the philosopher ought not to dispute and determine, because reasons are derived from things. It belongs to the philosopher under one or another of its parts to consider all things.
- (150) That man should not be content with authority to have certitude about any question.
- (180) That one does not know anything more by the fact he knows theology.
- (182) That the Christian law impedes learning.[63]

The Condemnations of 1277 broke the back of academic freedom for centuries. (Still in 1817, Hegel had to allay fears that Jean Paul was an atheist after nominating him for an honorary doctorate.) But there is another way to understand the Condemnations. By delineating what could be thought and taught, they ensured the accumulation of knowledge and prevented its dissipation. Christianity's dogmatism and aggressive dominance turned a patchwork of political, ethnic, linguistic, local, and economic inequalities into a single culture of alternating claims, dependencies, rivalries, and forms of cooperation.[64] From a rigid religious framework grew regional political idiosyncrasies and a Europe-wide university system.[65] The Christian religion also sought to give a unified shape to a practice of piety that was just as heterogeneous as it was ubiquitous. What held together the religious experience of Europe was the shared conviction that there's more to the world than appearances. "One recognized," notes Ferdinand Seibt, "the existence of an otherworldly sphere, whether populated with divine legions arranged hierarchically, or whether characterized by some other form of superstition.... The transcendent world was real and genuinely interwoven in the deeds and thought of nearly everyone."[66] The mission of Catholicism was to take belief in a transcendent world and—through institutionalization, conversion, and the elimination of everything real or imagined that provided an alternative—turn it into a religion open to all. It is here that we find in Catholicism the genealogical origins of the idea of humanity.

WE CAN'T *NOT* TRUST

Distrust requires a place from which to doubt. It is not possible to distrust in free fall. We can, for instance, enter a room of people with an attitude of trust or of distrust. With the former, we enter the room because we trust those around us. With the latter, we enter the room—if we enter the room—because we possess a different type of trust. We trust in our own strength, in our own weapons, or in the weapons of those we send to stand guard at the corners. (Anyone who has ever seen a Western knows the scene.) In each instance, we prepare for what we believe can be expected in the normal case. Societies do not devolve into chaos just because things look bleak. Nor do they do so when those of us in more stable zones think that by all appearances they must. Rather, societies adjust their levels of trust and distrust anew depending on the situation, and the people who live in them adapt their expectations accordingly. Some will invariably become overwhelmed, crack up, prove maladroit, or feel struck by a bolt from the blue, but these are the exceptions, not the rule. *Both trust and distrust are strategies of coping when circumstances are unclear and the world makes demands we cannot meet.*

Even in times of looming apocalypse, trust is possible. To "trust" in situations like these need not mean fatalistic capitulation, loss of hope, and meltdown. We can continue to live our lives, provided we know when the end will arrive and what we need to do beforehand to soften the blow. At the beginning of the sixth century, the inhabitants of much of the Christian world believed the end was near. Prayer helped tide them over; so did the right attitude. Envisioning doom brought order to their lives; otherwise the world would have seemed out of joint, a fallen place that normal strategies of trust and distrust could no longer accommodate. The actual crisis of trust did not take place until later, when the catastrophes mounted—plague, hunger, earthquakes, floods—but the anticipated apocalypse never came to pass. As long as people had their eyes on the calendar, they could comfort themselves by building new churches. But when the end failed to come, cities were gripped by mass hysteria, sometimes for months on end.[67] In other instances, people changed strategies and reverted to paganism.

The emergence of orthodox Christianity in the Byzantine province was a reaction to these events. In 542, the year the plague reached Constantinople, Justinian eliminated the consul, the last symbol of the Roman political tradition, and gradually transformed the principality into a sacral empire. (The Emperor was henceforth represented with Christly attributes.) The reorientation unburdened the Byzantine Empire of its end-time worries. With an exalted ruler and a cultic community centered around Hagia Sophia, Christ became something of a patron god in the Greek tradition. Production of miracle-working icons began, and the Virgin cult was established to ward off the plague.

In the years of the French Revolution many of those whose social status put them at risk survived the crisis through inner and outer forms of emigration. The real crisis of trust occurred among those threatened by unforeseeable change, as the Great Fear and the September Massacres demonstrated. During the Spanish conquest of the Americas, some tribes were unable to adjust to the crisis threatening their world. Adults stopped having children and killed any infants that were born. Sometimes whole groups resorted to suicide. The bishop of Chiapas Bartolemé de las Casas reported "large families whose members hanged themselves and villages that urged other communities to join them in solidarity with death." One conquistador is said to have commented: "[The Cubans] have bad inclinations, they are liars, they have short memories, and no stamina to speak of. They kill themselves with poison just to avoid work. Others hang themselves by their own hand."[68]

One can only speculate how often suicidal tendencies emerged in response to starvation, plague, and war.[69] What we know from the Thirty Years' War is inconclusive. Some documents from the last days of Nazi Germany point to acts of self-destruction.[70] Yet in the face of crises of trust, the rule is reorientation. And

it was such reorientation that led the way out of the crisis of 550 and helped build a concept of trust that would define Europe for the next thousand years.

REORIENTATION

The end of antiquity marked a major shift in the modes of social trust. During the classical era, trust was—generally speaking—exclusive. Whoever failed to participate in certain social practices was considered untrustworthy and had to leave the community or face punishment for treason.[71] By contrast, from the beginning of the Christian Occident up to the period right before modernity, trust was inclusive. The Christian claim to inclusivity extended even to those who could not be integrated into society because of their refusal or failure to participate in trust-securing practices. For instance, before being executed, heretics were supposed to renounce their beliefs and publicly embrace Catholic orthodoxy, and thus partake in a kind of trust-securing ritual after the fact. This is how the notion of auto-da-fé, or "act of faith," became synonymous with burning at the stake. Even those sentenced for nonreligious offenses had to submit to this procedure if their confessional beliefs happened to deviate from Catholic doctrine.[72]

The power of the Christian we was so great it extended to everyone, including those still unknown. The Spanish conquest of Middle America, together with the model of legitimation that went along with it, continues to be a very instructive historical example. One famous episode was the 1550 disputation in Valladolid between the philosopher Juan Ginés de Sepúlveda and Bartolomé de las Casas. Sepúlveda justified the exploitation and punishment of the indigenous peoples in America, while Las Casas argued for their inclusion in a kind of dictatorial welfare state (one that he would later attempt to institute—to disastrous and, for the local population, bloody effect). Las Casas based his position on the papal bull of 1537, in which Paul III describes the Church's Pentecostal mission as follows: "[Jesus said,] 'Go and make disciples of all nations.' He said 'all' without distinction, since all are capable of receiving the discipline of the faith."[73] Sepúlveda believed that every form of coercion was justified when indigenous peoples resisted conversion.[74]

Neither cast doubt on the Christian claim to supremacy, as could hardly have been otherwise in an official debate whose purpose was to determine the basic premises of Church-sanctioned colonial policy. Both sides took the consensus view that all humans can be converted because all humans are called to salvation in the all-inclusive Christian community. Distinguishing them specifically were two issues. First, Las Casas thought humans are called to salvation because, as he quotes from Saint John Chrysostom's *Apologia*, "there is no

difference in the call to salvation of all men, barbarous or wise, since God's grace can correct the minds of barbarians, so that they have a reasonable understanding."[75] Sepúlveda, by contrast, thought humans are called to salvation but believed they are born unequal, which he grounded in Aristotle's idea that some are slaves by nature.[76] Second, Sepúlveda supported Augustine in his view that "the loss of a single soul dead without baptism exceeds in gravity the death of countless victims."[77] Las Casas disagreed. "It would be a great disorder and a mortal sin," he wrote, "to toss a child into a well in order to baptize it and save its soul, if thereby it died."[78] Las Casas's position expressed more than disagreement; it violated the Christian idea of inclusion. From the perspective of Las Casas, the imperative of Christian conversion did not define the boundaries of humanity; the idea of humanity set the limits of Christian conversion. Sepúlveda could counter the point only by significantly restricting the concept of inclusion. In either case, the idea of inclusion was unable to handle what the discovery of the New World added to the Old.

Though the disputation of Valladolid was to become nothing more than a historical footnote and Las Casas lost the debate—to his credit, he later called for Spain's complete withdrawal from the Americas—two things should be kept in mind. Sepúlveda's Aristotelian idea of natural inequality among humans did not reflect the consensus view (though this fact changed nothing in practice), and Las Casas rejected Augustine's belief in the absolute priority of baptism. In view of the sixteenth-century bloodbaths in the Americas, these notes on intellectual history may seem frivolous, but there is little sense in inferring meaninglessness from delayed consequences.[79] Valladolid is an early sign of the complete reconception of social trust and its practices. And Valladolid became such a sign at a time when Europe—a stratified society unified by the idea of Christianity but divided by culture, economics, and politics—could not meet the demands made on it to interpret a rapidly changing world. For all its efforts since the Council of Nicaea to establish a coherent, unified doctrine, Christianity was unable to provide an authoritative framework for the problems of territorial expansion.

It is important to note here that the campaigns of the conquistadors were originally justified as a continuation of the Reconquista on the Iberian Peninsula. Columbus, who had Arabic and Hebrew interpreters on board with him,[80] wrote to Isabella of Spain explaining his plans to bypass the Arabs, establish a position in India from which to mount an attack, and conquer Jerusalem. A similar agenda was pursued by the Portuguese as they attempted to sail around Africa to join forces with the kingdom of the fabled Prester John. Yet the idea of the Crusades collapsed unceremoniously under the weight of the problems raised by the New World, and an alternative model for European

expansion was unavailable. This is why the disputants in Valladolid were so forceful in their attempt to modify the Christian framework, either resorting to a pre-Christian model or jettisoning the template of the Crusades without offering an alternative. The difficulties of imagining cultural otherness had a reactive effect on Europe's identity. Once it was no longer clear how to apply the Christian model of inclusion, the one attempting to apply it—the conquistador or the colonizer—could not help but stray from the cause. Whether a hero or missionary, a villain or knave, a tramp or a murderer, he became a figure—visible in a line of thinkers extending from Michel de Montaigne to Joseph Conrad—in whom the Christian Occident had become alienated from itself.

Adding to the excessive demands expansion made on Christianity were the excessive demands it made on itself by relying on a practice of trust insufficiently buttressed by political power. If it's true that Christianity's universalizing claim created a common cultural framework for Europe's patchwork of governments and regions, it's also true that this universalizing claim could never be anything more than a framework as long as Christianity did not establish a European theocracy. For Luhmann the fact that it never did was one of the most important prerequisites for Europe's unique openness to experimentation with functional differentiation.[81]

Barbara Tuchman cites the policy of Renaissance popes, in particular their notorious refusal to initiate reform despite a general belief in its necessity, as an example of what she calls "folly."[82] Judging by the result of their actions—that is, the Reformation (a schism Tuchman believes was foreseeable)—it was folly indeed. But from another vantage point, one that Tuchman does not discuss, it was not folly but failure: namely, the failure of the Church to achieve a secular power beyond that of the traditional papal state. The popes' political machinations, military adventures, and prodigious display of art and architecture (so influential in the cultural development of Europe) can all be understood as an effort to reach that aim and reinforce it symbolically. These popes did not forget their Christianity; they gave new meaning to the old expression *ecclesia triumphans*. On the one hand, this eased dogmatic control and spurred the Renaissance in the process. On the other hand, it led Rome to provoke the fundamentalist regressions of Luther, Calvin, and Zwingli in regions far removed from papal power and with nothing of the Church's splendor. The protests of these reformers would have been for naught had they not received political protection in their struggle against Rome, which is why they of all people, despite their religious fervor, ultimately and unintentionally weakened the hold of religion on the secular world. Once there was a plurality of Christianities (not only, as was sometimes the case, a plurality of popes),

Christianity as a confession ceased to be an effective, or at least universalizing, vehicle of social trust. The army assembled by Albrecht von Wallenstein is a revealing example.[83] Though it fought successfully for the emperor on the side of the Counter-Reformation, the army was of mixed confession and Wallenstein a mere political convert to Catholicism. This abandonment of traditional practices of trust was avant-garde for its time but it also elicited grave levels of distrust, with deadly consequences for Wallenstein.

The principle of *cuius regio, eius religio* formulated at the Peace of Augsburg—according to which the religion of the ruler was supposed to dictate the religion of the ruled—remained unstable in practice. It took the Thirty Years' War to finally entrench the primacy of politics and, with it, the multiconfessionality of Christianity. The confessions did not bear responsibility for the theretofore bloodiest war in European history, but they did prove unable to end the war once it began. What the Peace of Westphalia codified in 1648 was precisely what the war had been about all along: a political conflict between states. Playing a role in this conflict was a change in the way people looked at violence. In later chapters I will have more to say about this new attitude and its relation to social trust.

Niccolò Machiavelli was the philosopher of Christianity's political crisis. He celebrated Rome's attempt to become a secular power while claiming that religiosity is the prince's cardinal virtue. "There is nothing so important," Machiavelli writes, "as to seem to have [this] quality."[84] "Seem to have" is key, for the prince must toss out religiosity, along with all the other virtues, as soon as it conflicts with the interests of power. This kind of instrumentalization removes from religiosity the quality that made it an effective means of securing trust: its seriousness. Religiosity for show does not provide a common answer to the question of who we are. Its point is to set apart the clever few who see through the manipulation from the dumb multitudes at its mercy. It goes without saying that such a strategy can work, and it may do so for long stretches at a time, yet it cannot secure trust. Trust achieved by fraud deceives trust itself, just as, in the reverse case, the dissembler cannot trust those he deceives because he is unable to place them in his confidence. This is the dilemma faced by purely rational political systems and by theories that dismiss every motive save the pursuit of power. Were such approaches consistent, they would have to deny trust itself, and thus reveal the fraudulence behind the inflated seriousness on which their methodology rests.

From a standpoint of power, a single person can, Machiavelli in hand, defy the entire world. But two people can't live together unless they forget Machiavelli's arguments. This is the concluding point of *The Prince*. The chapter "Exhortation to Liberate Italy" ends not by pointing out another opportunity for self-

advancement but by invoking honor, flag, and country. Those to whom the text is addressed must read this call without looking at it through the lens of the preceding pages, for Machiavelli offers nothing to mediate between the attitudes of those who exercise power and the attitudes of those who follow a patriotic mission in service of power. Put differently, Machiavelli lacks a notion of raison d'etat joining the common good and the preservation of political power into a single concept.[85] By deconstructing aristocratic ideals and unveiling their supposedly self-interested core, he undermined their ability to secure trust. Machiavelli was a politician, not a sociologist.

THE BEARERS OF PREMODERN SOCIAL TRUST

Shakespeare read Machiavelli and like him had no illusions about power, but he understood incomparably more about its practice.[86] This was thanks to the fact that he stood above the times, so to speak, living after the Renaissance had ended and before modernity had fully begun. Moreover, as a man of the theater, Shakespeare observed not only power but those who observe it.[87] In *Richard III*, the Duke of Gloucester pretends to reject the crown that he has murdered people to win: "Alas, why would you heap these cares on me?" (III.7.203).[88] When initially rejecting the offer, Richard appeals to the state and majesty he serves; in truth, society as a whole interests him no more than it does the Duke of Buckingham, who in entreating Richard to accept speaks of his "tenderness of heart ... / Which we have noted in you to your kindred, / And equally indeed to all estates" (III.7.209–12). Linking Richard's membership in the royal family with the common good is ironic—Richard has already killed a number of his own relatives—but this doesn't mean such talk is mendacious and ideological. Rather, it represents the linguistic form in which claims to power are registered. The common distinction between appearances and reality fails to capture what's at issue. As I explain in the next chapter, power depends on trust. For power relations to function, the participants must communicate the basis of trust. This entails more than a mere presentation of behavior, which by itself would be incomprehensible. Whoever acts in a trustworthy manner implicitly makes reference to familiar situations and models. The maxim is "confirm, not surprise." In *The Piccolomini*, Schiller locates Wallenstein's weakness precisely here. When his brother-in-law asks him, "But how can any know you are in earnest / Unless deeds follow words?," Wallenstein responds, "How do you know I do not mean in truth ... / To make you all look foolish? Do you know me? I do not think I ever let you see / the secrets of my heart...."[89] Attitudes like this only work when loyal subjects can smile and

nod, secure in the knowledge that they know their lord better than he knows himself. In most cases, rulers behave like the rulers who came before them. Modern revolutionaries managed to create a new type of ruler by presenting themselves as a group that embodied the virtues they represented as individuals. Robespierre, unsullied by the dirt and corruption of the Ancien Régime, modeled the treatment of those he controlled after the lawyer-client relationship of ancient Rome. This—not the clamorous and scruffy style of *La Montagne*—was how the revolution was supposed to look. Lenin was also a new type, but one for which the people had been prepared. The party of professional revolutionaries was a successful political instrument and a suitable habitat for burgeoning leaders. Lenin was the managing director of the revolution, always appearing in suit and tie. At least that's how he appeared after Karl Radek urged him to acquire some proper attire on a trip to Sweden in March 1917. "We cajoled him at least to buy new shoes," Radek recalled. "He was traveling in mountain boots with huge nails."[90] It was during his stay in Sweden that Lenin's photo first appeared in the papers.

To call oneself trustworthy means being trustworthy primarily for the social segment to which one identifies or is assigned. (In the case of the modern revolutionary, social virtue meant delineating oneself from the undesirables and styling oneself as one of the virtuous.) But for society as a whole, such demonstrations of trust also require reinforcement: especially in times of crisis, trustworthiness has to been seen as benefiting more than the social segment of those who prove themselves trustworthy. In the Middle Ages the populace was supposed to profit when nobles behaved like gentlemen, even if the nobles made no pretense of doing it for the people. After knighting Tristan, King Mark gives him some words of advice:

> [S]ît dir nu swert gesegenet ist
> und sît du ritter worden bist,
> nu bedenke ritterlîchen prîs
> und ouch dich selben, wer du sîs.
> dîn geburt und dîn edelkeit
> sî dînen ougen vür geleit.
> wis diemüete und wis unbetrogen,
> wis wârhaft und wis wolgezogen;
> den armen den wis iemer guot,
> den rîchen iemer hôchgemuot
> ziere unde werde dînen lîp,
> êre unde minne elliu wîp;
> wis milte unde getriuwe

und iemer dar an niuwe!
wan ûf mîn êre nim ich daz,
daz golt noch zobel gestuont nie baz
dem sper unde dem schilte
dan triuwe unde milte.

[Now that your sword has been consecrated and you have become a knight, give thought to the glory of knighthood, and to yourself and who you are. Let your birth and nobility be ever present in your mind. Be modest and straightforward: be truthful and well-bred. Always be kind to the lowly: to the mighty always be proud. Cultivate your appearance. Honour and love all women. Be generous and loyal, and never tire of it. For I stake my honour that gold and sable never sat better on shield and spear than loyalty and generosity.][91]

Triuwe (loyality) and *milte* (generosity) are both attributes of trustworthiness. While the truly generous person does not give because he expects a *quid* for his *quo*, the act of generosity, as Walther von der Vogelweide emphasizes, is a bestowal of trust that nevertheless deserves something in return:

diu milte lônet sam diu sât,
diu wunngeclîche wider gât
dar nâch man sie geworfen hât:
wirf von dir milteclîche.
swelch künic der milte geben kan,
si gît im daz er nie gewan.
wie Alexander sich versan!
der gap und gap, dô gap si im elliu rîche.

[Her wage is like the seed cast down / that rises up in glory again / in what measure it was sown. / Then cast away with generous freedom! / To the king who gives her all he can / Generosity gives what he never won. / That Alexander, how wise that man! / He gave, and gave, and she gave him every kingdom.][92]

Triuwe and *milte* are virtues of the nobility—virtue proper was not expected of non-nobles—but they are more than virtues to be exercised toward the other social classes; they are also virtues the other classes rely on. As Gurnemanz tells Parzival in Wolfram von Eschenbach's epic poem:

Ir mugt wol volkes hêrre sîn,
ist hôch und hoeht sich iwer art,
lât iweren willen des bewart,
iuch sol erbarmen nôtee her:

gein des kumber sît ze wer
mit milte und mit güete.

[You … may well be ruler of a people. If you are indeed of high, aspiring race, bear
this in mind: compassionate the needy, ward off their distress with kindness and
generosity.][93]

The people over whom Parzival "may well be ruler" cannot demand these vir-
tues, but they must trust that these virtues will be taken seriously and that they
can air their grievances when they are not. But how can one trust in noble
virtues that extend beyond class? How can one trust that the ruler will exercise
them? Behind the *we/they* that distinguishes one estate from another exists a
copulative *we* that preserves class boundaries while grounding the obligations
of class in something other than consensus, which a ruler can choose to ignore.
In the feudal aristocracy of Central Europe, this copulative *we* was generated
by a common religion to which all estates belonged. Once again, what con-
fronts us is the *Gretchenfrage*. The famous penultimate lines of *Parzival* read:

swes lebn sich sô verendet,
daz got niht wird gepfendet
der sêle durch des lîbes schulde,
und der doch der werlde hulde
behalten kan mit werdekeit,
daz ist ein nütziu arbeit.

[When a man's life ends in such a way that God is not robbed of his soul because of
the body's sinning and who nevertheless succeeds in keeping his fellows' good will
and respect, this is useful toil.][94]

These words, which echo through Lessing's description of the ring in *Nathan
the Wise*—a ring which "had the magic power that he who wore it, / Trusting
its strength, was loved of God and men"[95]—articulate a theme found in Hart-
mann von Aue's *Erec* and in Gottfried von Straussburg's *Tristan*. In the latter
work, the teaching of *moraliteit*, "the art of good manners," is said to be

gemeine
mit der werlde und mit gote
[in harmony with God and the world][96]

Unlike the Christian ideal, the aristocratic ideal never consisted in the rejection of all that is worldly. Indeed, Christianity did not gain its particular importance for society until it was seen as a guarantee that people lived in a trustworthy manner. As the end of *Parzival* makes clear, individual salvation wasn't everything. The elite mindset of the aristocracy was needed to resist the ascetic temptations inherent in Christianity, while Christianity was required to prevent this elite mindset of the aristocracy from degenerating into arrogance and recklessness.

Just how much nobles were obliged to show generosity toward subordinates can be seen in a scene from Hartmann von Aue's *Iwein*. A knight arrives with a request for Arthur but refuses to say what he wants until the king promises to fulfill it. When Arthur refuses, the knight storms out of the castle, loudly voicing his doubts about the king's reputation for munificence. The Knights of the Round Table urge Arthur to reconsider the matter for the sake of the court's good name. After a moment's thought, Arthur agrees. They send for the knight, who returns—and promptly demands the queen's hand.[97] This episode, like many others in medieval poetry, explores the different ways in which social trust is articulated and bound by personal rights and obligations.[98]

In medieval institutions that were not embodied by single individuals, lobbying the nobility was a vice—wanting something that you were not entitled to—and its success signaled the breakdown of an ordered administration. Lobbying in this context expressed a specific distrust, but it could also be a technique of dealing with situations that called for distrust. In the absence of a legal system based on transparency, monitoring, and record keeping, lobbying court connections played an essential role in securing social trust. The right to address the ruler (a necessary prerequisite of his generosity) and the ruler's practical and symbolic need to be inaccessible were kept in balance by approachable courtiers who relayed information to the crown.

The possibility of seizing the ruler by the lanyard of his sword hilt, so to speak, is predicated on a restriction of arbitrary power so as to prevent the power structure as such from being called into question. The famous Prussian story of the miller of Sanssouci shows how a member of the lower class can challenge the king without signaling distrust in the system. According to the legend, Frederick the Great ordered the demolition of a rackety windmill at his summer palace. The miller objected and went to court, and the judge decided in his favor. In this reorientation of social trust, the king is a guarantor of a legal order to which he too is subject. Since an absolute sovereign could simply choose to ignore the verdict, the miller appeals to Frederick's sense of honor, which persists precisely because, in a society governed by laws, a sense of honor

is no longer required. At first, Frederick looks like Arthur of Camelot, a "prisoner of his own honor" obsessed with public perception.[99] By the end of the tale, though, the problem that remains aporetic in *Iwein* receives its historical resolution.

What is important here is less the flaw in the construction of trust than in the fact that trust is constructed at all. Trust only works when not unduly burdened. Trying to rob the king of his wife by appealing to his *milte* could have cost a subject his head. The ruler's duty to grant a request did not extend to those who called into question the hierarchy. On the contrary, requests had to be formulated so as to preclude this very intention (which is why they were often delivered by advocates at court). The solicitor, writes the historian Knut Görich, "had to make his devotion and subservience seen and heard.... Acknowledgment of the power structure obligated the ruler in turn."[100] In urgent cases, and to compensate for a shortage of advocates at court, solicitations could be made emphatic with a show of daggers.[101] Gestures of violence were intended to call attention to the framework in which claims beyond the boundaries of class were asserted.

Without a common point of reference outside the divided and divisive relation of powers, the premodern individual could rely on nothing but a ruler's prudence. This brought with it enormous practical difficulties. After all, rulers might not internalize the virtues of prudence and generosity, but display them only occasionally when power calculations render them useful, thus introducing a dangerous arbitrariness into the system. Only sociologists of power or political advisers à la Machiavelli could truly accept a state of affairs like this. Accepting it would be like accepting Pascal's wager: awareness of the necessity of belief in God does not mean one believes in Him. Those who claim to see through the mechanisms of trust do not understand trust. For trust to be trust, it cannot be seen to arise from instrumental calculations and the machinations of the powerful. *As Christianity became increasingly unable to serve an overarching societal function in the wake of European expansion and the catastrophes of the sixteenth century, trust needed a new framework to supply a prior sense of* we *and to serve as a point of orientation for the practices of trust in each class.*[102]

THE PROBLEM OF TRUST WITHIN MODERNITY

This transformation of trust coincided with the shift from stratified differentiation to functional differentiation, from a world where what was important was social hierarchy to a world where our social roles became essential. Luhmann

stresses that this development was "an extremely improbable event," though he identifies several circumstances that made it less so: the special importance of property, the development of a system of estate, and the limitation of kinship structures to small groups that did not form clans.[103] Another factor Luhmann names is one we have already seen: Christianity's inability to achieve its theocratic pretensions in the political sphere.

The process was more than extremely improbable. The transformation from stratified differentiation to functional differentiation was also ridden with crisis. According to many commentators, the classic text documenting this crisis—and the text on which later complaints of alienation and lost unity among the Romantics would build—is Schiller's *On the Aesthetic Education of Man* (1795):

> State and Church, law and customs, were now torn asunder; enjoyment was separated from labour, means from ends, effort from reward. Eternally chained to only one single little fragment of the whole, Man himself grew to be only a fragment; with the monotonous noise of the wheel he drives everlastingly in his ears, he never develops the harmony of his being, and instead of imprinting humanity upon his nature he becomes merely the imprint of his occupation, of his science.[104]

But Schiller's level of reflection became possible only once the move toward functional differentiation had started, when Christianity no longer constituted a framework for social trust and the *Gretchenfrage* elicited nothing but bemused reactions. This decline in the binding power of religion accelerated dramatically at the end of the eighteenth century. Its speed in Germany is best measured by the shift in public opinion that took place between the so-called *Fragmentenstreit* (1774–78) and the publication of Christoph Martin Wieland's novel *Agathodämon* (1799). The controversy surrounding the appearance of passages from an anonymous work in defense of natural religion was so heated that the censor placed Lessing under ban just for publishing them. Twenty years later, Wieland's *Agathodämon* provoked no outrage whatsoever, despite repeating some of the very claims that became fodder for scandal in the *Fragmentenstreit*—namely, that the biblical accounts of the resurrection were contradictory and implausible, and in all likelihood the body of Jesus was stolen or his death feigned.[105]

Modernity never succeeded in creating a framework that adequately replaced religion. Its failure is what Lukács's notion of transcendental homelessness was meant to elegize. The question is whether his lament refers to the sense of transience felt by those who could still remember what was lost or whether it refers to a functional problem of society, which the invoking of the

past symptomatizes but doesn't solve. Can what Luhmann describes as modernity's "differentiated function systems" generate sufficient trust in their proper operation and, by extension, sufficient trust in the proper operation of the whole (or in the idea that the one assists or indicates the other) so as to bring about social cohesion?

Morality in modernity occupies an analogous position. In a functionally differentiated society, morality is unable to integrate across levels, since the codes of the function systems do not align with moral categories. In Luhmann's words: "The autonomy of function systems each anchored in its own code precludes meta-regulation by a moral super-code." This does not mean that the concept of morality ceases to play a role altogether. Luhmann continues: "Attempts to sabotage code—corruption in the political and legal spheres, doping in sports, paying for love, fudging empirical data—become a moral problem."[106] The moral function of these codes is also a mode of social trust. The codes tell us what is supposed to happen, and they ensure that what is supposed to happen usually does. Aberrations occur but they are the exception and are punished. We know on whom we can rely when our trust is violated.

The trust that people place in one another as bearers of social roles is analogous to the trust shared by members of a class. In Thomas Mann's *Buddenbrooks*, we see how aristocrats' sense of self-worth can accord with trust in an accountant's report. The code of a Hanseatic family of merchants in the second half of the nineteenth century no longer required that each of its members find fulfillment in the family business. Unlike those of aristocratic birth, who remain aristocrats even when forced into beggary, merchants can relinquish their role, say, by selling the shares to their father's company. It's part of the elasticity of a modern, viable society that the boundaries of convention, good behavior, and supra-individual trustworthiness remain fluid. In Mann's novel, Christian—a co-owner of the Buddenbrook company and the playboy of the family—commits a string of faux pas attracting public attention. Christian's older brother, Thomas, aware of the possible consequences, gives him a dressing down:

> "Someone at the Harmony told me about a remark you made yesterday evening at the Club—a remark so out of place, so indescribably tactless that I cannot find words for it. And the fiasco was soon complete—you were given the most dreadful dressing-down on the spot. Do you care to recall the incident?"
>
> "Oh, now I know what you mean. Who told you all this?"
>
> "What does that matter? Döhlmann. And, of course, he told me in a voice so loud that people who perhaps hadn't heard about it yet could gloat over it, too."
>
> "Yes, Tom, I must tell you, I felt quite embarrassed for Hagenström."

"You felt … That's really too much. Now, listen to me!" the consul shouted, stretching both hands before him, palms up, and he tilted his head to one side, giving it a demonstrative and excited shake. "There you are surrounded by both businessmen and professionals, where everyone can hear you, and you say, 'Seen in the light of day, actually, every businessman is a swindler'—you, who are a businessman yourself, a part of a firm that strives with might and main for absolute integrity, for a spotless reputation."

"Good heavens, Thomas, it was a joke! Although, actually …" Christian started to add, wrinkling up his nose and thrusting his head forward at a little angle. And, holding this pose, he walked a few more steps.

"A joke! A joke!" the consul shouted. "I think I can take a joke—but you saw for yourself how your joke was taken. 'Well, *I for one* think *very* highly of my profession.' That was Hermann Hagenström's answer. And there you sat—a man who has wasted his life away, who has no respect for his own profession."

"Yes, Tom, but what does one say then? I assure you that the whole mood was shot to hell. People were laughing as if they agreed with me. And there sits Hagenström, all dreadfully serious, and says, 'Well, *I for one* …' What a stupid fellow. I was truly embarrassed for him. I thought long and hard about it lying in bed last night, and it gave me such a strange feeling. I don't know whether you know it, it's …"

"Stop babbling, I beg you, stop babbling," the consul interrupted. His whole body trembled with anger. "I will admit, yes, I will admit that his answer perhaps did not fit the mood, that it was in bad taste. But one seeks out the proper audience for saying something like that—if it really must be said. But you don't lay yourself open to such an insolent dressing-down. Hagenström used the opportunity to get back, not at you, but at us, *us*. Surely you realize what he meant with his 'I for one,' don't you? He meant: 'Apparently you come by such notions in your brother's office, Herr Buddenbrook.' *That's* what he meant, you ass."

"Well, 'ass' is a bit …" Christian said with a chagrined, anxious look on his face.[107]

This passage is densely packed. It reveals an uncertainty about roles, both those of Christian as the person who cracked the joke and those of the public, who must decided whether to regard Christian as a carouser among the carousing or a representative of family and profession. What in one case is only jest—and Hagenström's response only embarrassing—is in the other case an unpardonable betrayal with repercussions for family and reputation. Here we detect a holdover from the aristocracy: the obligation to legitimize one's class before nonmembers. Christian makes his remark in a club of "both businessmen and professionals," a place two classes cohabit outside their societal roles. Yet the club is not an environment where people are first and foremost human

beings. At best, they can share in the illusion that they are, but it is an illusion easily dispelled, as Hagenström's response demonstrates. In the club one is a human being qua businessman or qua professional. The club's inclusion of both classes only works because such inclusion is out of the question everywhere else. Christian's reckless joke puts the inclusion up for negotiation, which gives Hagenström an opening to take off the gloves and cast doubt on Christian's respectability as a merchant. The point of honor among businessmen—their ability to seal a deal with nothing but a handshake—tolerates frivolity no more than it does irony and bird's-eye observation. One should not play with the possibility of exclusion; precisely because it is a game, it might be taken seriously and, as in Christian's case, affect share prices. That's why Thomas Buddenbrook is so shocked, why he is at a loss for words, why he gesticulates, grows loud, starts to shake, loses his cool.

For this misstep and others, Christian is forced out of the company. The crisis of trust can only be solved by exclusion. It requires neither legitimation from without nor consideration of the fate of the excluded. Here lies the mutually stabilizing effect of functionally differentiated systems: irritations in shared environments are treated as internal affairs to be solved within the system. But this is also the problem. Christian Buddenbrook, the onetime merchant, ends up interned in a psychiatric hospital.[108] Those who do not suffer exclusions like Christian's make them acceptable by regarding them as deserved. (In *Buddenbrooks* the other characters see Christian's fate is justified on account of his poor professional skills.) But social exclusion in a functionally differentiated society is not always based on a commonly shared notion of blame, since the idea of collective judgment presupposes a set of values that transcends a society's function systems. And even when a set of common values must be assumed, judgments are not mechanical: a certain kind of exclusion does not necessarily entail the imputation of a certain kind of blame.

The tension between Thomas and Christian Buddenbrook heats up again soon after their mother's death. As the family is dividing up the household, Christian insists on taking his share of the dishes and linens. Asked by Thomas what he intends to do with them, Christian reveals his plans to marry. On hearing the news—the woman in question is below the family's social station, and marriage would entitle her to part of the mother's estate—Thomas flies off the handle:

> "You are not going to do it," Thomas Buddenbrook repeated, almost mad with rage—pale, trembling, his hands jerking. "As long as I walk this earth, I swear to you that it will not happen. Just watch out—be careful." More than enough money has been lost by misfortune, stupidity, and mischief, without your throwing a

quarter of Mother's estate in the lap of this female and her bastards. Not when another quarter of it has already been wheedled out of her by Tiburtius. You have already disgraced this family enough, sir, without your forcing us to have a courtesan for a sister-in-law and giving her children our name. I forbid it, do you hear? I forbid it!" he shouted in a booming voice that made the room ring.... "And don't you dare act against my will, I'm warning you. Up till now I have merely despised and ignored you. But if you challenge me, push things to extremes, we shall see who comes out the worst for it. I'm telling you—be careful. I shall be ruthless. I'll have you declared incompetent, I'll have you locked up, I'll destroy you! Do you understand me?"[109]

That Christian does indeed land in a mental institution is not because his brother makes good on his promise. After the verbal thrashing from his brother, Christian lacks the nerve to go through with his plans. It's not until Thomas dies that Christian marries, and it is his new bride, Aline, who uses Christian's eccentricities and the help of a doctor to have him committed. More interesting from a theoretical standpoint is to what extent Thomas, in making his threat, was still in keeping with his times. He is helpless, as he should be; his rage burns only himself.

The question of trust in a functionally differentiated society leads to a paradox. The loss of trust in one role does not automatically transfer to the others, for no role can produce a surplus of trust extending beyond itself to the whole. On the contrary, *the existence of trust is predicated on the fact that its surplus is not something we can demand.* Accordingly, we do not have to answer for that which takes place outside our roles. This is the reason the issue of morality is so ticklish. Morality is aimed at the whole, not at the specific roles we play.[110] Therein lies its potential for good but also its potential for evil. To avoid the latter, morality must reject totalizing claims and draw its foundation from a concern for the individual.

In modernity, trust in the whole consists in the whole not entering the equation. A certain degree of distrust is therefore in order whenever a nation asks its citizens to discharge their civic duties. To guard against such an imposition—patriotism requires individuals to produce a surplus of trust for all— Wieland argues that even citizenship is a role. In *Aristipp und einige seiner Zeitgenossen* (Aristippus and Some of His Contemporaries) (1800–1802), we read: "Nature, the mother of me and the mother of all ... made me a man, not a citizen.... One does not become a man to become a *citizen*; one becomes a citizen to become a *man*, so that, in other words, one can better and more reliably become everything a man ought to be according to his nature."[111] The concept of humanity can be employed to protest the risks of exclusion in

functional societies, but it can also be used to protest the coerced placement of social trust in a community that deprives people the relief of functional differentiation.

The search for a general societal framework—a search that Schiller and, after him, August Wilhelm Schlegel, Hegel, Marx, and many of their successors actively pursued, albeit with programmatic helplessness—found its answer in the reorganization of Europe's spheres of power into nations as compensation for the problems of functional differentiation. "The world," in Ulrich Bielefeld's diagnosis,

> … was seen as coming undone. Modernity meant fragmentation … and unification; it meant individualization and collectivization.… Since religion as a subsystem was differentiated, privatized, and, hence, an individual decision—at least in theory; in practice, this was by no means the case—the problem of unity could no longer be answered by reference to shared belief.… The religious perspective no longer articulated unity; it articulated difference itself.[112]

The questions this poses—What is the promise of unity based on? And what is trust in nation made of?—can be answered as follows: the promise of nation can compensate for differentiation because, one, the concept of national unity cannot be reduced to a single definition, and, two, nation and functional differentiation converge in the idea of a state, or more precisely, in a state's monopoly on violence.

Let me begin with the first part of the answer. The concept of nation is composed of heterogeneous elements springing from discrete historical sources. The unity these elements represent is territorial, political, and cultural. Each contributes to the unity of the nation, though which is decisive remains contested. This fact accounts for the politically contentious nature of the nation's life. Indeed, as Bielefeld has shown, this uncertainty is precisely that which constitutes the nation. As soon as one tries to define its essence, the idea of the nation founders, leaving a gap to be filled by other conceptions of unity, such as the *Volksgemeinschaft*.[113] "The nation," Bielefeld writes,

> must continually create itself as a unity despite the fact it is a society and thus based on differentiation. The unity of the nation establishes itself in the institutionalization of society as community.… The nation is a social practice of organizing the political with a particular ability to produce the effect of community in given instances of differentiation.… [T]he nation is nothing but a fiction of unity by way of ambivalent reference to a legal and empirical populace, a populace it constantly seeks to make its definitive foundation but never can.[114]

In the indefinableness of its essence—laws, passport regulations, customs duties, and the like sufficiently determine it; hymns, flags, oaths, and so forth insist that it is also something more—the nation achieves the transparency it needs to secure trust without putting unreasonable demands on the individual. No single person can embody the nation, but everyone can claim to be its member. What the nation does to protect the individual from global risk does not depend on an individual's religion or race. Signing a contract for freight insurance on an international shipment, for example, requires nothing more than becoming a customer of an insurance company, even if the nation figures in the background. A joke told in Germany at the end of the nineteenth century illustrates the point. A Social Democrat walks into a bank to deposit one hundred talers and asks the teller who will guarantee his investment if the bank declares bankruptcy. "The insurance company," replies the teller. "And what if the insurance company folds?" asks the Social Democrat. "The reinsurance company," says the teller. "And if the reinsurance company goes under?" "The German Reich." "And if the German Reich collapses?" "Well," responds the teller, "that should be worth your one hundred talers."

Trust in the economy as a subsystem is tied to the assumption that the process of functional differentiation remains incomplete. The above punch line suggests an unintentional consequence of this assumption: political opponents may pay for the success of their convictions with individual bankruptcy. Alternatively, they can stick to their role as customers, divorcing economics from politics and ignoring the fact that differentiation and unity continue to cooperate only as long as the stakes remain low.

The second part of the answer has to do with the nation's function as a state. Here is Bielefeld once more: "The nation needs … a territory that it administrates like a state. The modern nation determines itself only when it possesses a territory and a state."[115] The state is the tangible side of the nation and the guarantor of societal differentiation insofar as it is possible. The task of the state is *to enforce the law that permits me to be nothing but a party to a particular contract* (customer, partner, seller, and so on). The promise of differentiation consists in the legally regulated assurance of never having to be more than the occupant of a role in a societal subsystem. Law functions both as an instrument to enforce my rights and a means to defend myself against demands that overstep the bounds of social roles. This is why, in modern societies, patriotism receives limited legal institutionalization. Not even the display of national colors in U.S. classrooms is without controversy, never mind the legality of flag burning. I must be able to trust in the state's promise to defend me from excessive patriotic demands. Whether a pure constitutional patriotism suffices for such a trust is a question that touches on the very ambiguity contained in the

concept of nation. *In modernity, trust appears in twofold form: as trust in the stability of functional differentiations and as trust that these are guaranteed by the fictional unity of a nation embodied by the state. Behind both forms of trust, however, lies the state monopoly on violence, without which neither is possible.*

Though I argue below that the state's monopoly on violence is not a static condition but a moment in a process—the monopolization of violence—the link between the two may seem obvious, even trivial. In Hegel's view, this seeming triviality characterizes the very nature of trust relations: "The simple reaction of ingenuous emotion is to adhere with trusting conviction to the publicly recognized truth and to base one's conduct and fixed position in life on this firm foundation."[116] The matter, as it turns out, is just a tad more complex.

TRUST IN MODERNITY

The unrealistic expectations of many a wish betray a resignation to the world in which we live. Some desire a president who is more than the organ of the constitution, a president who is more than a mere representation of the whole, someone who sets the cultural and political tone, a confidence booster, a therapist for a depressed population, or some other function in which the president *lives* the whole. Desire for this kind of leader changes nothing, and the fact this desire remains unfulfilled changes nothing (though giving it symbolic and personal representation is a brilliant way to ensure it remains unfulfilled). One of the more subtle instances of Gulag socialism's regressive character occurred in 1950, when Stalin intervened in a linguistics controversy by publishing a series of articles in *Pravda*. Long after Stalin, socialist countries continued to place polymath representatives at the highest levels, where they edified no one but those in power. Even someone like Gorbachev found time to print "everything he said or wrote … in beautiful morocco leather and gold lettering."[117] His desire to commit his words to paper did nothing to change the fact that no one wanted to read them.

A functionally differentiated society does not require an individual to represent the whole. Indeed, it can tolerate individuals who represent the whole only when it is obvious that they do not in fact. King George III's mental illness, though widely known, did not have a noticeable affect on politics, nor—more crucially—did it undermine trust in the United Kingdom's political system and general stability. In a functionally differentiated society, there is no one at the top on whom trust in the whole depends, no one to demand of its citizens anything like what King Mark demanded of Tristan. Board members of Germany's Bundesbank need not be knighted, and they are free to pursue

their own self-interests as long as their extracurricular activities do not call into question their professional competence.

Once more: modernity's trust in the whole consists in the whole not entering the equation. We still trust in the whole, but the preservation of that whole rests on everyone's shoulders. Trust in the stability of functional differentiation is not something modernity can demand; and any attempt to do so is rendered harmless by its own absurdity. Modern trust rests on the belief that the *absence of such a demand* is guaranteed. This guarantee arises from legal regulations that enable us to meet one another as parties to a contract, as beneficiaries of certain legal rights.[118] The state monopoly on violence enforces these legal regulations, producing a society in which individuals or groups are forbidden from using violence to settle their disputes, and punished if they do. *This sense of mutual trust—the expectation of nonviolence in one's interactions—is a consequence of the monopoly on violence, but it's also its prerequisite.*

I'm not suggesting that trust in modernity is mechanical. It's not enough to know that the state monopoly on violence prohibits and punishes individual acts of violence. We know that the state cannot prevent every instance of violence, and we wouldn't want a state that could.[119] Still, most of us do not live in constant expectation of attack. This is not because we are careless but because we couldn't live life that way unless we were armed. Trust in the state's monopoly on violence means trusting in one another. It's part of our modern culture not to expect violence. This makes us vulnerable, and it is why we respond to assault on our body or its extensions—apartment, property, cars— with greater horror than people in other cultures.[120] Our ideal of civilization leaves our skins rather thin, but this increased sensitivity to trauma is also one of its achievements.

If social trust emerges from a constant production and reinforcement of norms and from a ceaseless attempt to answer the question of who we are, it also depends on our not doing and saying certain things. And if social trust is part of the basic framework of every culture, then the abstinence from violence is a decisive element in modern social cohesion. Yet despite this abstinence, extreme violence continues to occur. The resulting tension is one of the most interesting problems of modernity, and it is to this tension that the following chapters will turn.

CHAPTER 2

Power and Violence

My house stands three-stories high;
He who enters
does not soon leave.
It has very tall windows, but
he does not look out.
They do not shine in the sunlight;
no hail beats in the panes;
no tiles fall from the roof.
The house stands in an open field.
    —JOHANN PETER HEBEL, RIDDLE 102

KRATOS AND BIA

Scholars disagree about whether Aeschylus wrote *Prometheus Bound*. Compared with his *Oresteia*, the grand civilizational trilogy that ends with the founding of law and the social contract, *Prometheus* is wild and archaic. The play begins with the smith-god Hephaestus chaining Prometheus to Mount Caucasus as punishment for excessive philanthropy. Hephaestus executes the task begrudgingly—he feels sympathy for Prometheus—but fear of Zeus, the usurper and terrorizing despot, compels him to carry on. Overseeing his work are Kratos and Bia, the personifications of force and violence, respectively. Kratos goads Hephaestus, threatens him, mocks him for his pity. All the while, Bia remains silent. The only words spoken in this initial scene are between Hephaestus and Kratos. The two-person dialogue is Aeschylus's invention. In previous plays, characters had spoken only with the chorus; not until later, in Sophocles' work, does a third character enter the conversation. The strange thing about *Prometheus Bound* is that it opens with three figures on stage. Why did Aeschylus insist on placing Bia alongside Kratos and Hephaestus when, according to dramaturgical convention, she must play a silent role? Or was that the point?

Could it be that this astonishing theatrical device was meant to thematize the relationship between force and violence? Did Greek drama, in emerging from its rigid formalism, bring a level of abstraction undetected by Greek political philosophy? What we can say, at any rate, is this: in *Prometheus Bound*, force speaks trenchantly; violence is as silent as a shadow. Yet while Bia does not talk, her presence speaks volumes. One wonders what kind of mask the actor wore.

A PHENOMENOLOGY OF PHYSICAL VIOLENCE

Violence is first and foremost physical violence, the nonconsensual assault on another's body. "First and foremost" means that physical violence is the point of reference for other, nonphysical forms of violence. The objection that the threat of physical violence is often worse than physical violence only serves to emphasize just how dire physical violence is. Physical violence provides the standard of comparison and lends intensity to our descriptions of psychological torment. Farewells can be "painful," forced separation all the more so. Before our soul can express suffering we need to provide it with a body whose maltreatment it can lament. When we want to be more precise, when we wish to be better understood, we increase the physicality of our words: a sorrow cuts, a burden weighs on the soul, a heart is broken. All too often, somatic symptoms arise that confirm the aptness of our metaphors.

We first learn that we are entities distinct from the world when displeasure and pain teach us that our bodies have limits.[1] The child exits the womb, experiences cold, enters the warm water of a bath, emerges into the cold air again, comes to know gentle and less gentle forms of touch. The former convey the pleasurable sensation of hazy or nonexistent boundaries; the latter indicate where thresholds lie. Hunger and thirst teach limits too. The world does not provide the infant with sustenance before he feels the pangs of need. Hunger comes first; then the baby cries. If lucky, he'll get something to fill his belly. This is truly a matter of good fortune: the human infant is slow to develop into a self-sustaining *I*, and until it does is at the world's mercy. This sense of helplessness accompanies the development of the self, where it remains dormant but arousable. (The feeling of being "in God's hands" typifies an adult manifestation of helplessness.) Subject to omnipotent and arbitrary forces, the infant can only hope for the best. *Not lehrt beten*, the German folk saying goes: suffering teaches us to pray. Pain is part of violence, but so is the overwhelmedness we feel when confronted with the unboundedness of the possible. A hatchet man in Argentina's military junta expressed it so succinctly to one prisoner, you might think he polished his words in advance: "We are everything for you.... We are God."[2]

Only in the past decade or so has sociology begun to understand violence primarily in terms of its physical aspect.[3] But where does such an approach start? Sociologists who address physical violence usually factor in far broader contexts, mostly because they concentrate on its causes. Framing the question about *what* to look for is a (usually implicit) set of hypotheses about *where* to look for it. One claim I make in this book is that an emphasis on cause is part of modernity's problem with violence. I would thus like to bracket the issue of causation from the outset, putting aside questions of motive, intention, and mental disposition. In certain cases it may be useful to regard an act of violence as a means to an end, as an expression of a mental state, or as a characteristic of a specific group, and at times, I will also speak of violence as "instrumental." But when I do I use it not in strict opposition to "noninstrumental" violence, as the popular distinction would have it, but in a less fundamental sense: to point out a particular aim and model of legitimation.

I propose that the following forms of physical violence be distinguished based on their phenomenological relation to the body: locative violence, raptive violence, and autotelic violence.[4] *Locative violence* treats the other's body as a mass to be allocated. It issues the command "Move away from here!" or "Move over there!" Locative violence does not center on the body qua body but qua displaceable entity—something in the way, something to be moved as needed. *Raptive violence* uses the body as a place to execute some sort of (usually sexual) act. *Autotelic violence* seeks to damage or destroy the body.

This categorization would seem to suggest that locative violence is instrumental, and to a certain extent, this is true: locative violence contains a means-end calculus in which the body is used or abused for a purpose. But this is also misleading. *People never act from instrumental motives alone; there is always a noninstrumental component to their decisions.* The deed always contains something that attracts the doer beyond its outcome. Every action gives us information about the doer—who he is and what he wants to be. Every action, in other words, *possesses a communicative aspect.* This is also true of actions nobody sees, since the one who acts serves as witness—what he does says who he is. Acts of violence, witnessed or not, are no different. It is hard to imagine a bank robber disinclined to bear arms and bark orders at terrified individuals. In one sense, taking a hostage for ransom is a straightforward case of instrumental action—the kidnappers threaten the hostage so as to compel others to pay the ransom. In another sense, no one would agree to such a complicated and risky affair if the deed itself weren't somehow satisfying, be it in the feeling of power or in the pleasure of control.[5] Aside from these considerations, however, my terminology is purely phenomenological. It describes forms of physi-

cal violence—not the perpetrator or his intention but the deed in relation to the body on which it is inflicted.

Locative Violence

[A]n old man's life is an eternity! And now my path would be clear and smooth be-
fore me, but for this miserable lump of tough flesh that bars the way to my treasures.
—FRIEDRICH SCHILLER, *THE ROBBERS*

To repeat, *locative violence does not aim at the body qua body but qua disposable entity whose location the violence determines.* Locative violence is necessarily connected with actions that aim at something other than the body. The body can be an entity to be eliminated (what I'll call dislocative violence) or to be incarcerated (what I'll call captive violence). In the dislocative act of violence, the body is an obstacle that must disappear. How it disappears is unimportant. It can be pushed to the side or killed, driven by threats to disappear "on its own," or injured to prevent resistance. The purpose of captive violence is to keep a body in a designated place. Locative violence is the kind of violence we usually associate with the political sphere or with crime and punishment.

Military violence. In war, one side seeks to block the other from achieving its aims, either in the narrow sense of preventing access to supplies or riches, or in the broader sense of protecting a throne or a capital. All military technology is ultimately directed toward destroying the enemy's ability to constrain one's actions (soldiers, swords, arrows, rockets, gas) and toward strengthening one's own ability to act freely (shields, armor, camouflage). Doubtless, there are instances of destruction in war that go beyond the locative. But in modernity these are regarded as anomalies. Our culture sees the torture of war prisoners as barbaric and tries to outlaw weapons that do more than make soldiers unfit to fight.

Modernity understands military violence primarily as dislocative. When the enemy ceases to be an obstacle—when it leaves the battlefield and puts down its weapons, abandons its fortifications and surrenders—the war is over. Prisoners are then released, provided the captive violence was dislocative—that is, provided its intention was to keep soldiers off the battlefield. As we know, this was not always the case, even in the twentieth century. Sometimes the purpose of taking prisoners was to turn them into slaves, sacrificial victims, or food. Purposes like these are outlawed in modernity. This is why prisoners of war may not be forced to do anything the captor wants; this is why the use of

slave labor by the German arms industry was a crime; this is what inspired the film *Bridge on the River Kwai*. These examples point to an issue of decisive importance for this book: *the form of legitimation used to justify a particular type of violence can vary depending on the time and the culture.*

Criminal violence. A thief assaults the body that tries to prevent access to the wallet he seeks, and he subdues or kills the guard standing before the building he wants to ransack; a spouse eliminates her partner to remove the body that restricts free use of the credit card; a hostage-taker seizes a body and threatens it with destruction to get something—money, free passage—from those who wish the hostage's safe return. The actions of the thief and the spouse are instances of dislocative violence that share the outcome of autotelic violence. The hostage-taker's act is an instance of captive violence backed by the threat of autotelic violence. It can be difficult to tell these cases apart psychologically. On a phenomenological level, however, one can say that dislocative violence occurs when the thief ties up the guard, attends to the safe, and leaves without harming him physically. But when the thief decides to murder a cooperative guard just for the sake of killing him, we have a whole different sort of violence. Once caught, those who have committed violent acts tend to portray themselves as a certain type: the "greedy person who only wanted to cover his tracks" (when they want to downplay their violent tendencies) or the "obsessive murderer" (when they prefer the psychiatric hospital to prison). But the plausibility of a psychological profile does not determine which phenomenological form of violence to attribute to a specific act; rather, the attribution is part of the act's very motivation.

Locative violence involves a brutal disinterest in the body; raptive and autotelic violence show a brutal interest in the other's body. The objective of raptive violence is not harm or destruction (though it can result in harm and destruction), while the object of autotelic violence is harm and destruction (though it can also be sexually motivated).

Punitive violence. In its modern form, punitive violence appears to be a straightforward affair: the body of the criminal is removed from where a repeat offense is likely (dislocative violence) and incarcerated to deter future offenses, reduce danger, and reform the convict (captive violence). Yet there is more to punitive violence than deterrence and rehabilitation. The notion of guilt, which persists stubbornly in the link between the type of crime and the degree of punishment, contains the old idea of a cosmic order that demands restitution in proportion to wrong committed. The physical harm called for by theories of retributive justice such as *lex talionis* and mirror punishment is intended neither as deterrence nor as warning but as law enforcement: the harm

is restitution performed emblematically on the body of the offender. Punishment as a means to a utilitarian end did not establish itself as a legal norm until the modern era, at which point it developed an instrumental relation to the body and assumed a locative function. Premodern punishment, in the main, exercised a different form of violence altogether.[6]

Those who object to the idea that the violence of modern punishment is instrumental and locative in nature argue that the criminal justice system is not, in fact, motivated by utilitarian ends. They claim that the underlying purpose of punishment is not to protect citizens but to inflict suffering, not to ameliorate the criminal but to cause bodily injury. *The legitimacy of an act of violence depends on what specific type of violence it is taken to be.* Consider debates about capital punishment and torture. In countries where the death penalty has been abolished, its supporters make arguments grounded almost exclusively on deterrence. In countries where the death penalty is commonly imposed, proponents emphasize its autotelic function, such as when they demand that families of murder victims be permitted to witness the offender's execution for the purpose of vindication.

In the West today, torture is considered illegitimate, and governments that practice it delegitimize themselves. Countries that seek to relegitimize torture understand it as a variation of locative violence not unlike the legal instrument of coercive detention. Violence is inflicted on the body to obtain information that will help prevent or solve a crime. The person to be tortured stands between the objective of the investigation and the investigators; the objective of torture is to remove the obstacle.

Political Violence. In the context of political violence, torture is generally legitimized as a necessary instrument. The fact that so many people accept its necessity demonstrates how powerfully modern forms of legitimation can shape what we understand to be true. It is generally assumed that the state should take measures to eliminate potential attacks, and torture is usually understood as a tool in this endeavor: the prisoner is tortured until he discloses (previously unknown) enemies of the state, the revelation of which justifies the torture. Yet the realities of torture cast doubt on its utility. The torture camps run by Latin American military dictators resembled mad abattoirs. The details of such episodes teach us that torture tends to be, at the very least, more than instrumental in function. This notion of "tendency" is itself the product of a modern view that sees all acts of violence as beginning locative (or instrumental) and derailing only in the extreme case—at which point they are perhaps best attributed to the mental state of the offender or to other "perversions" that resist further analysis.

Raptive Violence

Amalia for the band!
—FRIEDRICH SCHILLER, *THE ROBBERS*

Locative violence wants to eliminate the body as an obstacle or relocate it. *Raptive violence seeks to possess the body, usually for the purpose of sexual gratification.* Whether this form of assault ends with the orgasm of the offender, whether it approximates the nonviolent sex act, whether the offender enjoys some aspects of the act more than others, or whether he savors the beating he gives more than the genital stimulation he receives or the other way around, is inessential to the definition of raptive violence. Whether the act of violence could have been avoided if sexual satisfaction had been possible to attain by other means (if, say, the victim had become or had remained the girlfriend of the offender before she became his victim); whether obsession is decisive for pleasure; or whether subjugation or violation is decisive and everything that resembles nonviolent sex is a mere accessory—all these issues are important for understanding the individual case and the psychological dynamics of doer and deed but not for identifying a violent act as an instance of raptive violence.

Raptive violence can stand in relation to locative violence—as in war or slavery—but this does not alter its definition. The latter can supervene on the former or provide its opportunity; or the former can be the goal under which the latter is subsumed (as in some cases of captive violence). There have been attempts to read raptive violence as itself instrumental—reinforcing the asymmetrical power relations among the sexes in which every rapist is also an agent of political repression—but my purpose here is not to investigate the plausibility of such claims. It suffices to note that my typology of violence does not contradict them, and may even serve them. Given the right theoretical effort, *any action can be assigned a functional role in any context.* For instance, in some wars rape went beyond its traditional function as an accepted "perk" for soldiers and became a means of humiliating the enemy population. This kind of raptive violence is no longer a private criminal affair; it's a public, communicative act. Still, this fact does not alter its relation to the other's body, the object to which and with which raptive violence is committed. Unlike locative violence, raptive violence does not treat *the other's body as an obstacle or a tool but as an end in itself.* Dislocative violence moves the other's body out of the way; raptive violence takes place at, and on, the other's body.

How does raptive violence compare to instances of captive violence involving slavery? In both, the other's body is used to fulfill the wishes of the person

in power. The one body is used for work, the other body is used for sex. But this equivalence holds only from the standpoint of slavery's inner logic. Yes, the slave laborer and the sexual slave alike are objects of locative (that is, captive) violence. And, yes, both are explicitly about the body: physical properties will be equally important for those who control them. But in the one case those properties are the objective criteria of an optimally functioning tool; in the other case they are the subjective criteria of the owner's sexual preferences. The slave laborer is an instrument that acts as the physical extension of the owner.[7] The sexual slave is an object of locative violence *and* raptive violence. In his or her body's otherness—and *otherness* is the operative term here—the sexual slave must submit to the owner's whims. In the case of the slave laborer, what matters is the body's suitability for work. This implies its exchangeability, not only with other bodies but with other, nonhuman tools should they prove more useful or cost-effective. With the sexual slave, what matters is the fulfillment of the physical desires of the person in power. The body may be exchanged with another, but it must be the body of *an* other.

Power plays a crucial role in instances of raptive violence with obvious sexual intent.[8] It's frequently claimed that rape only satisfies the rapist's desire for power, not his desire for sex. What makes this claim tenuous is its normative assumption that violent sex is not sex. This assumption finds its mirror image in the suspicion that all male sexuality is, at root, violent. This view—like the claim that all violence is, at root, sexual—can be discussed on a broad conceptual level only after drawing clear phenomenological distinctions beforehand, and the crucial criterion for the typology of violence I am sketching out here is the act's relation to the body. The one who takes pleasure in the power of raptive violence does not enjoy power itself but the power of sexual superiority. He takes pleasure in the subjugation of the other's body, not in the power of eliminating an inconvenient body. To enjoy the power of subjugation without deriving sexual pleasure is not rape. The idea of someone forcing himself to have sex to lend credence to his cravings for power is absurd. Even so, some rapists claim to take pleasure only in the power, not in the sex. It's hard to know what to make of assertions like these. Defendants and convicts often adjust their testimony to accommodate the pet passions of those passing judgment. It's common knowledge that it can be beneficial to flatter the narcissistic tendencies of medical evaluators, state attorneys, and judges. But let's assume these assertions are sincere. Presumably, those who claim not to have enjoyed sex while committing rape say this because they do not associate sex with violence. Therefore, when they claim to have enjoyed "only the power," what they really mean is that they enjoyed the *violent sexual act*. Those who take pleasure in power during rape enjoy their sexual superiority, not their power in general.

(I'll leave open the question whether such abstract pleasure, or pleasure in such an abstraction, actually exists.) They enjoy what they do, and for the phenomenology I have outlined here, "what they do" is what it's about: raptive violence *is* the subjugation of a body for a specific purpose; it *is not* the removal of an obstructing body or the reduction of the body to a tool.

Autotelic Violence

> A baby, lying there as right as rain under the table, and the table just about to catch
> fire—Pure little brute! I said, you're freezing! and threw it into the flames.
> —FRIEDRICH SCHILLER, *THE ROBBERS*

If locative violence is about transplanting the body and raptive violence is about possessing the body, then *autotelic violence is about destroying the body*. Violence can be autotelic even if its outcome is not fatal. Likewise, violence is not autotelic just because it ends up damaging or destroying the body. In some cases of locative violence enemies are shot to death, struck down, blown up; yet once removed from the battlefield, opponents need not be subject to further violence, unless the goal is to prevent them from returning once and for all. (This is why the practice of taking prisoners of war became common.) What is ultimately crucial for locative violence is *that* the body ceases to be an obstacle to some goal, *not how* the body ceases to be an obstacle to some goal. Raptive violence, too, can result in serious or deadly harm, as when a rapist kills his victim to eliminate her as a witness. Destruction can accompany raptive violence just as it can locative violence, but in the case of autotelic violence *the body's destruction is not merely a possible consequence, it's the point*.

Locative, raptive, and autotelic violence each possess their own teleological character. The purpose of locative violence lies outside itself, which is why it can be understood as a paradigm of instrumental violence. Raptive violence also wants something that lies outside itself, though here act and aim close ranks. By contrast, the purpose of autotelic violence, as its name indicates, lies wholly within itself: the destruction of the other's body for the sake of its destruction.

Of the three forms of violence, autotelic violence disturbs us most, for it's the one that most escapes understanding and explanation—at least today—which is why we speak of "senseless cruelty." While discussing what he calls "puzzling brutality," the German psychologist Alexander Mitscherlich shifts from professional analysis to the registration of his own horror: "Which personality development is exhibited by the police officers of Rio de Janeiro or São Paulo who formed the esquadrão da marte, or death squad? While carrying out their

vigilante justice, they fired more than 300 bullets at one victim. 250 or 300 bullets at one victim—who does such a thing?"[9] There is a certain emotional aversion (and, consequently, intellectual aversion) to accepting the existence of autotelic violence. As a result, people tend to regard it as an exceptional, and exceptionally bizarre, deviation from the pursuit of another goal. The soldier who takes the corpse of his enemy and rips it to pieces like a dog would a rag doll is considered berserk, his behavior crazy, a pathological aberration that, because we see it as the exception, rarely calls for closer scrutiny.[10] The same is said of the rapist who kills and mutilates his victim; or the gangster, the guerrilla, the soldier, the Native American who cuts off the penis of the enemy and stuffs it in his mouth; or the GI who sticks a live hand grenade inside the vagina of a Vietnamese girl; or soldiers who deck themselves with the body parts of their rape victims. But the truth is that none of these examples are simple deviations from some purported standard of violence. Hans Peter Duerr is surely right when he accuses Norbert Elias of a "misty-eyed view of the present" for claiming that, in modernity, such examples occur only "as exceptional phenomena, as a 'pathological' degeneration."[11]

And what about execution, the elimination of an individual for disrupting the societal order? Cannot its locative function be fulfilled in principle by lifelong incarceration? And what about executions that do not only kill but also stipulate that the dying man be set to with pliers and hammers and then eviscerated? Is this a particularly emphatic form of deterrence? Aside from the fact that the deterrence argument has always been dubious, it has never played a central role in these forms of punishment. Punishments whose purpose was not just to kill but to kill through gradual stages of destruction, and that continued after death with the mutilation and exhibition of the corpse, legitimized themselves by their method. As I stressed above, *lex talionis* and other forms of mirror punishment do not follow some kind of instrumental logic but seek to restore the cosmic order through harming and destroying bodies. It should also be emphasized that every such punishment, whatever calculus it otherwise follows, necessarily presupposes a *power so constituted that the power-holders need not stop at the bodily surface of their victims, a power that gives perpetrators the right to rend bodies and turn them inside out.*

When this right is asserted, either in stated or tacit form, the destruction of a living being's body—what we call torture—ensues. Conversely, when there is torture people will assume this right has been asserted. One of modernity's more uncontroversial achievements is the moral ostracization of bodily destruction as a means to punish, mete out justice, and reinforce rule. For all that, the twentieth century was in many parts of the world a century of torture. When, in the spring of 2004, it surfaced that the U.S. army had tortured Iraqi

prisoners—routinely, as it would later turn out—many were appalled, but many also took the resigned view that without vigilance such things were bound to happen. In both cases the appropriate question—why?—was asked but rarely answered. And the reason is because *our culture has serious trouble coming to terms with autotelic violence.* This type of violence is foreign to us; it represents what Christianity has traditionally assigned a special place in the cosmic order: Hell.

Whenever autotelic violence lacks legitimation, its occurrence stirs up a problem for whose explanation the devil was invented: an evil that is no mere privation of the good. Like trust and violence, evil has been a hot topic in recent years—in theology (once again), in psychology (with newly awakened interest), and in philosophy (after almost being forgotten).[12] For Kant, radical evil was nothing more than acting on false maxims, which includes doing good out of desire rather than duty. For Kant, the main opponent of the good was egoism. To do evil in order to do evil without utility for the doer would have been unintelligible to him. This was in contrast to Schopenhauer, who tended to ask too much of the evildoer, ascribing to him the maxim "*omnes, quantum poetes, laede*" (injure all people as much as you can).[13] Nicolai Hartmann and others tried to hold on to the idea that no one "does evil for evil's sake.... [H]e always has some positively valuable purpose in mind."[14] Such a view is certainly important, for it reminds us to examine how promises of salvation led to the apocalypses of the twentieth century. But it ignores the empirical facts, whose surfeit of evil can't be explained by good intentions gone wrong.

For us, the horror of autotelic violence lies in the fact that it can't be rationalized by cost-benefit analysis. The horror we experience stems from our inability to subsume the autotelic under a familiar concept of violence, which is why we speak of "senseless cruelty." Someone might object: but there is no such thing as "sensible cruelty." Surely there must be, comes the rejoinder. Why else would we talk this way? Think of the man who roughs up someone in the act of robbing him. It's not very nice behavior, but that's how the world works sometimes, which is why we have the police and the courts. We'd say the same thing if the man killed the victim to eliminate a potential witness. He's a cold-blooded murderer, but his actions retain a kind of logic. Now imagine this robber slowly torturing the victim to death. This idea leaves us both horrified and helpless. No doubt, there is a judicial category to describe this deed, but does it really grasp what happened? We are everything but naïve; quite the contrary: we are jaded. But this? *Can this horror be culturally specific?*

The problem of violence that overshoots its mark is recorded in our civilization's earliest literature. The *Iliad* tells the story of Achilles' rage after Patroclus, his comrade and lover, dies at the hands of Hector. When the news reaches

him, Achilles ends his protest on the sidelines and returns to the battlefield to seek revenge. Killing Hector is not enough; Achilles must defile his corpse by dragging it around Patroclus's grave:

> So he triumphed and now he was bent on outrage, on shaming noble Hector. Piercing the tendons, ankle to heel behind both feet, he knotted straps of rawhide through them both, lashed them to his chariot, left the head to drag and mounting the car, hoisting the famous arms aboard, he whipped his team to a run and breakneck on they flew, holding nothing back. And a thick cloud of dust rose up from the man they dragged, his dark hair swirling round that head so handsome once, all tumbled low in the dust.[15]

King Priam slips into the Greek camp and begs Achilles to return his son's body. In one of the most powerful and profound scenes in world literature, Achilles is moved by Priam's pleadings and relents. First, though, he ensures that Priam doesn't see the body:

> Achilles called the serving-woman out: "Bathe and anoint the body—bear it aside first. Priam must not see his son." He feared that, overwhelmed by the sight of Hector, wild with grief, Priam might let his anger flare and Achilles might fly into fresh rage himself, cut the old man down and break the laws of Zeus.[16]

The sight of a son's mutilated body is more than a father can bear. The fact that Achilles mutilated a *dead* body does not make it any better; the Trojan response shows that the revenge has hit its mark. But this is revenge gone wild. Hector merely killed an enemy soldier, one who had just killed dozens of Trojan soldiers while pretending to be Achilles. Hector is an officer and a gentlemen; Achilles is a barbarian. Priam's request gave Achilles the chance to act like an honorable warrior once again.

Capital punishment and war are the two most commonly legitimized types of state or authoritarian violence. In both cases, there exists a transcultural sensitivity accompanying the legitimizing rhetoric. Neither is ever lawless, and when it is, it's called something other than war or punishment: excess, massacre, bloodbath, and so on. Capital punishment requires a ritual. If the scaffold rope snaps, the prisoner is pardoned. War must follow the logic of locative violence. When soldiers go beyond the aims of war, it causes problems on both sides. In Euripides' *Trojan Women*, Odysseus has Hector's son killed to prevent him from taking revenge. In response, Andromache, Hector's widow, levels the gravest imaginable charge against the Greeks: "Not even a barbarian could invent / Atrocities like this."[17] The accusation contains the diagnosis: those who

do such a thing have left their culture and the norms that constitute it. The original Greek distinction was meant to distinguish between proper and improper behavior. The use of the word *barbarian* signals the importance of the distinction between permitted and prohibited violence for a culture's definition of self.

Autotelic violence was a standard and institutionalized practice in past cultures. People were crucified, impaled, eviscerated, ripped apart publicly, slowly tortured to death in festivals, their body parts displayed with pride. Yet for all the gore, these actions occurred in designated spaces. Outside those spaces—on the battlefield of Troy, for instance—autotelic violence was a horrendous excess that repelled both the perpetrators and those who identified with their civilization. In modernity there is no legitimate space for autotelic violence. In the coming chapters I'll explain why. At any rate, *the absence of a legitimate space for autotelic violence makes perceiving it a problem, which is why we try to avoid doing so, even in theory.*

REDUCTION TO BODY

Violence has two components: the inflicting of it and the suffering of it. What unites the two is the reduction of the person who suffers violence to his or her body. *All forms of violence—locative, raptive, autotelic—reduce those who suffer it to their physicality.* Sufferers of locative violence are reduced to their bodies as tools; sufferers of raptive violence are reduced to their bodies as objects of possession and utility; sufferers of autotelic violence are reduced to their bodies as objects of destruction. In these situations the kind of reduction at work differs from its everyday variety. Normally, when we say "someone is reduced to something," we mean that we perceive him or her from a single vantage point. We all reduce some people in this way; we would not be able to live normal lives otherwise. And we all know that we can perceive people in one and only one respect without thereby committing or preparing a violent act, even if the one and only respect in which we perceive them is their physicality.[18] I see the man at the bakery only as the person who sells me bread, and though I see him almost every day, I might not recognize him if we were to meet in a different context. The more populous, the more complex, the more differentiated a community becomes, the more necessary these reductions are for survival, however much they are lamented as an expression of modernity's cold impersonality. By perceiving the baker in one respect only, I am not reducing his person, just my perception of him, and only an unabashed constructivist would deny the difference. It's not until I prevent the baker from conduct-

ing himself in a way he favors—and not until I do so actively, by restraining him—that I attempt to reduce him *personally* to a role, and whether I actually succeed depends on whether he or the social framework permits me to treat him this way. If I do succeed in inflicting such violence, my actions will reduce the baker to his body. I will determine which parts of his person still count; I will decide whether he continues to be a citizen with legal rights. *The reduction to body found in all violent acts is the reason violence must be understood as primarily physical.*

In war, enemy soldiers are referred to as soft targets, unintended civilian death as "collateral damage." It makes little sense to bemoan the cynicism behind such terms, for they reflect the reality of military action.[19] The hostage, whether he is being held to compel or to intimidate or to blackmail, will see himself as a piece of meat, kept in case the hostage-taker needs to cut off a slice to send in the mail. The victim does not perceive this reduction to body in a metaphorical or allegorical sense. He does not feel "like" a piece of meat, or "as if" he were a piece of meat. The "like" or "as if" comes later, provided the victim gets the chance. While the violence is taking place, the victim's self-perception is dull. The spirit, in keeping with the physical reduction it experiences, becomes flesh.[20] Jean Améry describes how the "weak powers of reason" that return to those who survive torture consist of

> almost nothing else but a great astonishment.… Astonishment at what one can become oneself: flesh and death. The tortured person never ceases to be amazed that all those things one may, according to inclination, call his soul, or his mind, or his conscientiousness, or his identity, are destroyed when there is that cracking and splintering in the shoulder joints. That life is fragile is a truism he has always known—and that it can be ended, as Shakespeare says, "with a little pin." But only through torture did he learn that a living person can be transformed so thoroughly into flesh and by that, while still alive, be partly made into a prey of death.[21]

Rape victims often speak of their bodies as "used" by the rapists, and even a harmless touch, when unwelcome, can trigger this sense of reduction. Because permission is not asked, the touch conveys the message that the body is the only thing that matters, and in this sense the message becomes threatening. *At its core, the threat of violence works by anticipating the ways in which the victim can be reduced to his or her body.* The "painful questioning" carried out by the Inquisition and at criminal trials in the early modern era began by displaying the instruments of torture. The purpose was to overwhelm the suspect with so much fear that their application became unnecessary. Every credible threat of violence reduces the world of its recipient to the expectation of pain and

annihilation. The effect of psychological torture produces similar effects. Sleep deprivation reduces a person to a bundle of reflexes just as surely as does flaying him. So does boredom, if it lasts long enough. Depending on the constitution, a person can occupy himself for shorter or longer periods with his assembled knowledge, thoughts, and experiences. At some point, however, the reserve is exhausted. As the inner world turns gray, the spirit withers away and the impulses become primitive. Giving oneself to hallucinations may buy some time, but insanity is only a detour in the regress to base instincts. Along the way, the spirit becomes aware of itself as body, but by then it's too late to reverse the process (not that doing so would make a difference). The reduction to body announces itself in trembling, in ossification, in panic, in terror. Violence and fear repudiate the idea of intelligibility.

A reduction to a mere something can be cause for a certain kind of pride. The Spartans at Thermopylae thought of themselves as the dike holding back the Persian flood. Werner von Haeften was, in the last moments of his life, nothing but an obstacle between the firing squad and Claus von Stauffenberg.[22] Though Haeften's act of throwing himself into the stream of bullets meant for Stauffenberg was inconsequential—it prolonged the life of the man he revered for mere seconds—it gave his death greater meaning. We also see this expressed by a member of the Red Army Faction (RAF), who in a secret message to his comrades waxed lyrical about "a body that is a weapon."[23] The 9/11 hijackers spoke of themselves in similar terms.

There is disagreement as to what lies in the look of the person who watches an attractive woman pass by. Does he admire her? Does he reduce her to an object? The problem is complicated because he does both. Those who desire sexually desire the body. That he desires this body and no other might be because he loves the whole person, her spirit and sense of humor, her voice, her scent, her success in life, and her ability to do things he cannot. But, to quote Robert Gernhardt, "there's no substitute for horniness."[24] When it's about sex, it's the body that's desired, not the mind. Sex is the meeting of bodies and the transgression of boundaries. In sex we reduce the other to his or her body, however complicated the events were that preceded it. The difference between sex and raptive violence involving sex is free will and the mutuality of desire. When both of these are present, the reduction to body represents the highest form of physical passion; without it, it's a humiliating act of violence.

Looking at the cleavage of a woman, at the legs exposed by her skirt, at the curves emphasized by her clothing, is surely reductive. But one cannot tell by the look itself how it reduces. A look is a look. It hides nothing and it reveals nothing. It only shows itself. What it means is determined by what happens next. If a look remains a look then its interpretation is left to the imagination

of the one being looked at. Tact consists in knowing how differently looks can be interpreted.

PSYCHOLOGICAL VIOLENCE/AUTOTELIC BIAS

> Proudly walking. Whom were you trying to walk like? Forget: a dispossessed. With mother's money order, eight shillings, the banging door of the post office slammed in your face by the usher. Hunger toothache. *Encoure deux minutes.* Look clock. Must get. *Fermé* Hired dog! Shoot him to bloody bits with a bang shotgun, bits man spattered walls and brass buttons. Bits all khrrrrklak in place clack back. Not hurt? O, that's all right. Shake hands.
>
> —JAMES JOYCE, *ULYSSES*

Psychological violence can only be understood against the background of physical violence. To understand how psychological violence works, we must shift our perspective to the sufferer. *Psychological violence consists in the threat of being reduced to body.* To threaten someone with physical violence is a tautology, but one meriting closer scrutiny. In what does a threat consist, apart from the (perhaps conditional) announcement "If you don't do x I will do y"? A threat can only be effective if it activates the imagination, if the one threatened imagines his response, his tolerance for pain, his courage, his particular susceptibilities, his cowardliness, his chances of survival, his life as a survivor, and so forth. *The threat of violence brings the person threatened to imagine himself as someone on whom violence is already being inflicted. He plans his future exclusively from the perspective of the violent act he imagines.* His perception of world and self narrows as a result. He is already reduced to the violence that threatens him.

Psychological violence extends beyond the threat of physical violence, of course. Its contents are so diverse and so disputed that finding a single common denominator, much less the specific one mentioned above, seems unlikely. One category of psychological violence is the implied threat. (Much of what I said about the physical threat of violence applies to it as well.) Another category includes disregard and scorn, verbal and nonverbal dismissiveness, bullying, and what Americans call "dissing." These forms of contempt recall earlier sources of fear. Every child is instinctively certain of its vulnerability, subliminally conscious of its dependence on the environment and the people who control it.[25] Neglect, indifference, animosity represent mortal danger, and even the most loved child will experience them at times and react with panic. Rejection and disdain in the adult's everyday life can touch on these fears, though

whether they activate them depends on the person, the situation, and other factors.

Psychological violence short of overt threat can also convey an exclusion of the other as a free and equal partner. This communicative act, transported by disturbance and diffuse fear, contains the threat of locative and raptive violence. When there is no threat involved, some form of bad behavior on the part of the perpetrator is required for the act to qualify as psychological violence. Unlike physical violence, psychological violence needs a victim who plays along. Those not psychologically disposed to play along perceive psychological violence as bad behavior and simply ignore it.

Do not misunderstand: I'm not saying that the one who perceives psychological violence is to blame. On the contrary, he can and should expect others to know what they do. A certain unwillingness "to play along" can be mere insensitivity. Adorno's tendency to recoil at minor everyday crudeness as if the Gestapo were at the door was, by contrast, an expression of sensitivity. What does it mean to be sensitive? It depends on what a person experiences as frightening. Seeing his family burned alive in a pogrom traumatized Lessing's Nathan; later, when his home is destroyed in a fire, he refuses to believe that his adoptive daughter could have survived.[26]

When is a person sensitive, and when he is oversensitive? When there is doubt, neither applies. One must look closely at each case; perhaps disagreement will ensue. To understand the disagreement it's useful to consider the cause: fear of being reduced to body. Because every violent act contains the possibility of trauma, and hence an element of psychological destruction, *an element of autotelic violence is perceptible in every violent act.* The victim can see all violence as potentially autotelic because all violence is potentially destructive, or because the differences between forms of violence play no primary role in his suffering. Yet they do play some role. *Though every victim of violence has a culturally informed preconception of what violence is and in which forms and contexts it can take place, the suffering inflicted can prove so dramatic that the victim will see all violence as autotelic.* This is one of the factors that promote Stockholm syndrome. Adopting the perspective of the hostage-taker, his view of events, his means-ends calculus enables the hostage to experience the captive violence inflicted on him from the outside in.[27] As a psychological strategy, this attempt to deny the destructive and autotelic nature of the violent act never works.

The terror of the one who suffers violence is reflected in the eye of the perpetrator as triumph. Every act of violence positions itself vis-à-vis society. Where violence *is permitted*, there are winners and losers, and the former are usually rewarded, either materially or with social prestige. Where violence *is mandated*, those who perform violence collect the dividends that come with

fulfilling one's duty and, when the deed involves risk, earn a reputation for bravery. Where violence *is prohibited*, those who commit violence set their own rules, challenging the norms of society in addition to making victims scream. *The perpetrator of locative or raptive violence is generally in a position of power that allows him to use autotelic violence as well.* Whether the perpetrator knows it or senses it vaguely, whether his victim knows it or senses it vaguely, perpetrator and victim form a dyad in which the former may or may not decide to wield his superior power for the sake of pure destruction. If the perpetrator does not wield this power, it's because he has resisted an inherent temptation to do so. Not everyone will resist this temptation, however, and this is why every instance of locative or raptive violence can suddenly metamorphose. The simple murderer can decide to exploit his power over the other's body by shredding it to pieces with three hundred bullets; the person who sets out to rape can later decide to destroy the body he used for sexual gratification.

Just as absolute political power manifests itself in the ability to eviscerate and exhibit bodies,[28] *absolute individual power manifests itself in autotelic violence— unrestricted power that pursues no other end than itself.* Here lies the no-longer-secret secret of senseless cruelty and the ostensible mystery of the suicide bomber. We know from experience that, as Schiller writes in *The Bride of Messina*, "No good supreme is life."[29] And we know that absolute power is a rare and valuable good. It's no surprise that some are quite willing to purchase such power with others' lives.

FRAGMENTATION: THE DESTRUCTION OF THE *I*

I want to begin this section by expanding on a topic I spoke of previously: early sources of fear. Sigmund Freud believed that the formation of the self is bound up with the perception of one's own body. In *The Ego and the Id*, Freud argues that "the ego is first and foremost a bodily ego; it is not merely a surface entity, but is itself the projection of a surface."[30] The ego is a component in Freud's structural model of the psyche. But it also includes our everyday sense of self, the feeling of being an *I*, of having a stable identity that persists across changes in mood and state. I already pointed out that the development of our sense of self is tied to the experience of displeasure and pain, for this is how we come to know our body's separateness from the outside world. At the same time, extreme displeasure and pain in the form of violent assault on the body can seriously harm our sense of self.

There are several interrelated models that account for this macabre homeopathy. The first borrows from Freud's theory of psyche I just mentioned. Ac-

cording to Freud, the formation of the ego is an "interior" defense mechanism for controlling the hazardous and threatening demands of the bodily drives. But the ego can also be seen as an "exterior" defense mechanism that, by stressing the external boundaries, shuts out the danger and displeasure caused by the outside world. The ego says, "I am another." In it we sense a constancy that transcends the unpleasant and painful sensations repeatedly caused by the outside world. From the experience of our destructibility grows the sense of our robustness. This feeling is a source of trust in ourselves, yet it's also fragile and susceptible to disappointment. To preserve it, we must not become conscious of its fragility. The fact of its fragility behaves analogously to what Freud called the preconscious, in that it enters consciousness only under certain conditions. Violence is one condition that activates that sense of fragility. It can temporarily—or in extreme cases, permanently—ruin our sense of robustness, which in turn can wreak havoc on our ego. We lose our feeling of psychological consolidation, we fail apart, we lie in ruins. Awareness of our fragility reverses, as it were, the process of *I* formation. We become again what we were and what we sought to flee: a being without a core, at the mercy of the outside world's perils.

A second explanation for the effect of violence on our sense of self ties into Jacques Lacan's idea of a so-called mirror stage. Lacan bases his theory on experiments demonstrating that infants are able to recognize their mirror reflection:

> This event can take place ... from the age of six months on; its repetition has often given me pause to reflect upon the striking spectacle of a nursling in front of a mirror, who has not yet mastered walking, or standing, but who—though held tightly by some prop, human or artificial (what, in France, we call a "trotte-bébé")—overcomes, in a flutter of jubilant activity, the constraints of his prop in order to adopt a slightly leaning-forward position and take in an instantaneous view of the image in order to fix it in his mind.[31]

The "jubilant activity" of the infant arises from an expectation of escape from his helplessness and vulnerability. In seeing his mirror image, the infant "anticipates the maturation of his power in an mirage."[32] For Lacan, the formation of the *I*, of which the mirror stage is a crucial part, "is symbolized in dreams by a fortified camp, or even a stadium."[33] This imagery suggests a function similar to Freud's ego. When extreme violence makes the infant dramatically aware of the helplessness he seeks to escape, the mirror breaks. Extreme violence obscures the infant's face in the reflection of his inner mirror.

The young child sees stability not only in the mirror image but also in the eyes of those who love him.[34] We know that "mama's boys" and other loved, pampered, and idolized children later show an astounding ability to weather crises. Goethe's statement that he got his "blithe nature" from "mother dear" is testament to this phenomenon. Conversely, first-person reports teach us that even relatively short periods without communication can bring people to doubt the structuredness of their own mind and its competence to judge reality.[35] To suddenly be seen no longer as an individual but as a body to be removed, stored, used, or destroyed can also deal a blow to our sense of inner robustness. Compounding these risks is the fact that we children of modernity no longer experience violence as an integrated part of our everyday life. Violence befalls us as something extraordinary and unmanageable. Those who grow up in times of permanent violence are likely to be less shaken by any one instance of it. Of course, extreme violence can break any of us, taking with it our reason and sense of self. Short of such violence, sensitivities are likely to differ from one era to the next. The goal of the civilizing process is to make us all more susceptible to trauma by reducing the amount of it in our lives.

Ultimately, the relief afforded by modernity's absence of a binding whole is a burden. For it leaves us without a social locus to take for granted and without an inner locus from which to define our place in society. Modernity's basic assumption that our body is inviolable—which persists as a norm-giving convention however frequently it is violated—might be the very thing that makes social and individual differentiation livable in the first place. In any case, this assumption is one of the ways—perhaps the decisive way—modernity compensates us for its differentiation. Assaults on this form of compensation can have disastrous consequences.

To make this more concrete, consider the flip side of differentiation, in which another strange homeopathy lies: the fact that modernity never calls on an individual in his or her entirety helps us avoid being overwhelmed by trauma. Of course, once trauma *does* overcome us, once we are thrown back to the childlike state of fragmentation before the formation of the *I*, nothing can help us, with the possible exception of therapy. When the pain stops short of trauma, however, social differentiation may be palliative. Nightmares can shake us from our beds, the most familiar sounds can cause our heart rate to soar, a tactless word can erect a pane of frosted glass between us and the rest of the world, but since we know that the roles we play are *roles*, we do not need to play them with the conviction that they are all we are. Victims of violent attacks who write books about their experience are not seeking to get it "off their chests," as many are wont to declare. They do it for all sorts of personal reasons.

With luck, a sense for writing's social function will be one of them, and the author will produce a book that even engages those completely indifferent to his or her fate. *If modernity makes us sensitive to violence, it also provides us a way to move past trauma.*

COMPLEMENTARY OPPOSITES

The person who tries to elude raptive violence by submitting to it still suffers. For the act is not about two people's enjoyment in the reciprocal and alternating reduction of each other to the physical. The fact remains that one person is reduced to a body for use by the other. The same goes for people who do exactly what their attacker wants (giving him their wallet, opening instead of barricading the door). Those who cooperate evade reduction no more than the slave who anticipates his master's every wish (a fact demonstrated to perfection in the superb *Cool Hand Luke* when a defiant prisoner adopts a subservient posture before the guards). By giving (oneself) up without resistance, by taking flight, by experiencing the volatility of the body's inertia, the person who wants to avoid violence internalizes the offender's view of him as obstacle or tool. In removing himself he recognizes that he is an obstacle; in hastening to function, that he is a tool; in offering himself, that he is an object of desire. Nevertheless, in instances of locative and raptive violence, compliance may spare the victim some pain. Acts of autotelic violence cannot be attenuated in this way. Here, the only option is to commit suicide before the destruction of the body takes place.[36]

The inverse of locative and raptive violence is the possibility of unforced consensus. It describes the case where one need not step aside in fear or open a safe at gunpoint, where one voluntarily works in concert with others—as accomplice, sidekick, comrade, friend. Here, the absent threat does not loom in the background as something that *would have occurred* had either party decided not to cooperate. Consensual sex is not a case of rape postponed only because the sex was consensual. Yet unforced consensus is more than the inverse of locative and raptive violence; it is its *complementary opposite*. Unforced consensus can be reached together or in conflict, in symmetrical or in hierarchal relation. Work, sex, or some other goal can be achieved through friendship, love, enmity, or force. The other's body and self can be my allies, but they can also be my enemies or things I regard as mere objects. In answering these questions we determine the state of our society at the macroscopic and microscopic levels. Autotelic violence is different. Unlike other forms of violence, it does not submit to open question, and hence does not factor into the equation

of what society is. The reason is that *autotelic violence does not possess a nonviolent complementary opposite*. Raptive and locative violence do, and their complementary opposites serve as the pivotal unifying force among people in every culture.

The nonviolent complementary opposite of an act of raptive violence is an act of mutual desire. As with my other arguments about violence, this is not a psychological claim; nor is it a claim about the etiology of sexual violence. I am not assuming, for instance, that rapists have experienced an insufficient degree of nonviolent sexuality. I am only saying that, on a purely phenomenological level, the acts are the same *in the sense that they reduce others to bodies*, and these acts do so whether or not they involve violence. This does *not* mean that the former is their essential property and the latter merely accidental. Seen from a different perspective, the issue of violence will be decisive. What I am emphasizing is that each act's relation to the body is characterized by reduction. But, surely, one will say, the "merging of bodies" that takes place in mutual desire is different from raptive violence's relation to body. Indeed, there is an enormous gap between the two in this regard. In mutual desire, the reciprocal reduction blurs the distinction between bodies, and the *principium individuationis* no longer triumphs. In raptive violence, the body of the rapist and the body of the raped are sharply separated, and this sharp separation is the source of the rapist's pleasure. Yet for all their difference, raptive violence and mutual desire are complementary sides of human sexuality.

The complementary opposite of locative violence is the consensual exercise of power. If in mutual desire the reduction to body is an act of reciprocity rather than of subjugation, then in the consensual exercise of power the body is part of an alliance to reach a common goal rather than an obstacle to be removed from the playing field or a tool to be placed at someone's disposal.[37] Consider: the soldier who deserts his units to join forces with the enemy; the guard who opens the gate and receives a share of the loot; the defeated combatant who loads his weapon before handing it over.[38] In these examples the enemy becomes a brother and the opponent's feared henchman becomes a companion. The complementary opposite of overpowering and pain-inflicting violence is a joint power that grows stronger in its mutuality. From this fact we can draw two conclusions. First, *when speaking about the connection between power and violence, one must speak specifically about the connection between power and locative violence*. Raptive violence also involves overpowering the victim, but, as with autotelic violence, the real objective lies in the execution. Second, sociology's helpless attempts to understand the relationship between power and violence result from a misunderstanding. *Sociology either ultimately conflates power with violence or insists that power and violence are to each other like water and*

oil. Both are wrong. In the following sections, I investigate this relationship in more detail.

POWER—WITHOUT VIOLENCE

Almost forty years ago Hannah Arendt recalled a remark of Georges Sorel's, made at the beginning of the twentieth century, that "the problems of violence still remain very obscure." For Arendt, this statement had lost none of its validity in her day, and the reason was "the general reluctance to deal with violence as a phenomenon in its own right." "If," Arendt observed, "we turn to discussions of the phenomenon of power, we soon find that there exists a consensus among political theorists from Left to Right to the effect that violence is nothing more than the most flagrant manifestation of power."[39]

This view continues to remain popular today. Just consider the following passages, picked at random from recent works by German sociologists:

> Power and rule rest on the possibility of exercising violence. Max Weber ... defines power in his "Basic Sociological Terms" as "the probability that one actor within a social relationship will be in a position to carry out his own will despite resistance, regardless of the basis on which this probability rests."[40]

> Sociology continues to adhere to the early definition of Max Weber, according to which power refers generally to the ... probability of finding obedience in others.... If this is defined as the probability of carrying out one's own will despite resistance, then it follows that power and social inequality are closely connected.... In general, the most effective form of power lies in the ability to exterminate the other: "being unable to make what is just strong, we have made what is *strong just" (Pascal) or* "covenants, without the sword, are but words" (Hobbes).[41]

> A person has power because he has power over others, because he can impose his will on them.[42]

These views stand in the tradition of Hobbes, who was obsessed with violence, in particular with how to limit its frequency. We all know his answer: the establishment of a state monopoly on violence. The enforcement of state power, which in Hobbes was always the enforcement of monarchic power, is predicated on this monopoly, and restricting violence always means restricting the instruments of violence.

Arendt believed that *all* previous attempts to theorize the relationship between power and violence followed Hobbes, and this was a tradition from which she sought to break. What she overlooked was that she was not alone. She herself stood in a tradition, albeit one far less influential—that of David Hume, who wrote these famous words:

> Nothing appears more surprizing to those, who consider human affairs with a philosophical eye, than the easiness with which the many are governed by the few; and the implicit submission, with which men resign their own sentiments and passions to those of their rulers.

Hume refused to entertain the possibility that violence was the source of the problem:

> When we enquire by what means this wonder is effected, we shall find, that, as FORCE is always on the side of the governed, the governors have nothing to support them but opinion. It is therefore, on opinion only that government is founded; and this maxim extends to the most despotic and most military governments, as well as to the most free and most popular.[43]

By speaking of a government founded on opinion, Hume argues that those governed have consented to the government that rules them.[44] The element of consent is crucial for Arendt as well, though she is less interested in the relationship between rulers and ruled than in the groups that take and hold power. In Arendt's understanding, power corresponds to a group's ability and willingness to act. The power of one group finds its limitation in that of another, so that in the absence of other powers "a comparatively small but well-organized group of men can rule almost indefinitely over large and populous empires."[45] But *how* do they manage to do this? *How* can they maintain their position of power at "varying degrees of permanence," as Max Weber would say?[46] One possible way is by violently preventing the formation of groups that might be able to challenge them. For Arendt, this example misses the point. "While violence can destroy power," she writes, "it can never become a substitute for it."[47] Even so, the destruction of potential opposition has the effect of safeguarding those in power. Of course, the ability to eliminate opponents does not, by itself, guarantee the retention of power. Power lasts only as long as it is not destroyed from without and the group in power coheres. Here is Arendt again: "What keeps people together after the fleeting moment of action has passed (what we today call 'organization') and what, at the same time, they keep alive through

remaining together is power."[48] This view follows from Arendt's definition of power, and in this sense it is logically consistent, but it is also nothing more than that. Arendt tells us little about how power relations work—how those in superior positions of power stand in relation to those in inferior positions of power. In truth Arendt is not really interested in how people retain and exercise power. What interests her is the moment power emerges—or should one say "blossoms"? Arendt's description verges on the rhapsodic: "Power is actualized only where word and deed have not parted company, where words are not empty and deeds not brutal, where words are not used to veil intentions but to disclose realities, and deeds are not used to violate and destroy but to establish relations and create new realities."[49]

Although the moment of pathos when a political community (bloodlessly) gains power cannot adequately account for the social relations of power, Arendt's view is instructive all the same. For it shows us that even the most violent efforts to achieve power and superiority contain nonviolent elements. No power relation more complicated than a crude juxtaposition of "the powerful" with "the powerless" is ever a pure power relation. Once the hopes of the few in power enter the equation, once they honor obedience and support, the power relation is no longer constituted by violence alone. Armed with nothing more than instruments of violence, even the most powerful person can exercise power only as long as he manages to stay awake. After a few days he requires an assistant who acts without coercion. If the assistant is frightened into helping, it's only because he doesn't see his own freedom.

Arendt's idea of power excludes anything outside actions of free accord. If we followed her we'd have to conclude that intimidation and threat play no role in gaining power. This would be absurd enough. But Arendt also ignores actions to maintain power in which intimidation and threat most certainly figure. To avoid the even more absurd conclusion that maintaining power does not require exercising it, we must reject Arendt's claim that power and violence each exclude the other.

Despite these shortcomings, Arendt makes an important point: gaining power peacefully is also an essential element of power. It reminds us that power is not a zero sum game where one side wins what the other loses. To include this insight in a broader understanding of power, I suggest we reformulate Weber's definition as follows: *Power is the ability to induce another to support one's objectives, regardless of what this ability rests on.* "Regardless of" can then be further defined as *the ability to bring advantage to some and/or the ability to bring disadvantage to others.* In the future, I will refer to these abilities as *reward power* and *coercive power*, respectively. The following figure illustrates this two-fold nature:

Power

Reward   Coercion
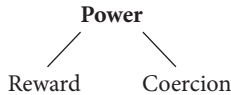
COERCIVE POWER

In some sense, Niklas Luhmann is the mirror reverse of Arendt: he is interested in power only insofar as it is coercive. He focuses solely on the *retention of power*, and thus restricts power relations to situations in which there is an "avoidable alternative." Like Arendt, however, Luhmann refuses to conflate power and violence, and rejects the claim that power derives from the ability to impose one's will on others. He rules out the idea "that power involves causing outcomes despite possible resistance, or, in other words, is causality in unfavourable circumstances."[50] Rather, he writes, "the causality of power lies in neutralizing the will, not necessarily in breaking the will of the inferior. This affects him also, and most precisely, when he intended to do something and then learns that he has to do it anyway."[51] For Luhmann those in superior and inferior positions of power alike choose in any given situation from two possible courses of action, and each will prefer one choice to the other. "Power," Luhmann continues, "assumes that *both* partners see alternatives, the realization of which they wish *to avoid*.... Using this assumption, a *hypothetical combination* of avoidable alternatives can be produced for both sides."[52] Producing such a hypothetical combination of avoidable alternatives is what it means to threaten by coercion, for the concept of a threat implies that the one who makes it would rather not have to make good on it. At the same time, one cannot speak of a power relation when the following sentence—often used by parents when administering punishment to their children—applies: "This is going to hurt me more than it's going to hurt you." Luhmann explains:

> Power is not exercised unless the relationship of the participants to their respective avoidable alternatives is … structured in such a way that the power-subject has a greater preference for avoiding his alternative than the power-holder does.... It also does not occur unless the participants recognize the way they relate to their avoidable alternatives.[53]

An interesting consequence of Luhmann's position is that the analysis of a power relation need not rely on speculation about what people would have done had the power relation been another.[54] Power is not a relation of conflict, though the exercise of power in Luhmann's sense can be understood as a

means of *avoiding* conflict.[55] At any rate, power remains limited to an operation with the alternative of do *x* or face coercive measure *y*. "Love, money, and persuasion into consensus about values," writes Luhmann,

> cannot be defined as instances of power.... The initial premise of a power situation may well rest on positive performances on the part of the power-holder: for instance, on promises of protection, demonstrations of love, promises of payment. But power proper only comes about when what is made immediately dependent upon the conduct of the power-subject is not the continuation of those performances, but their suspension.[56]

THE TEMPORALITY OF POWER

For Arendt, power means the ability to gain influence on the strength of collective enthusiasm; for Luhmann, power means the ability to coerce. What both these thinkers overlook is temporality, and with it something essential about power itself. *Coming to power is not just about gaining power; it is part of a project of maintaining and exercising power. Likewise, maintaining power is not just about maintaining power for an instant; it is part of a project of creating a permanent continuum of power.* Maintaining power can be understood as a continual coming to power, while the process of coming to power anticipates the conditions needed to maintain it. *Power, therefore, consists in a double temporality: its present and its future.* I will go into more detail below; here I want only to emphasize that no power relation is based on a single moment alone. Rather, it depends on assumptions by its participants about what comes next. Someone in a superior position who believes his loss of power is imminent has already lost it. The prisoner who knows he will not be able to endure tomorrow's tortures will no longer be able to endure today's. Whatever the power constellation, both sides usually have a clear sense of the options open to them in the immediate future. Trust in a particular power relation arises when the actions of the participants communicate a mutual acceptance of the status quo.

REWARD POWER, COERCIVE POWER, AND VIOLENCE

If a group manages to come to power and disrupt the status quo, it will have done so not only by threatening its opponents with coercive measures but also

by giving supporters (and, perhaps, neutral bystanders) a promise of reward. Maintaining power is no different, necessarily relying on both the stick and the carrot. Arendt is mistaken in her belief that power can be lastingly secured without coercion, and Luhmann is mistaken in his belief that power can be lastingly secured without reward. Luhmann does concede that power can be won through reward, but he insists that only coercion can maintain it. There are two things to note about Luhmann's qualification. First, one has to distinguish between power and mere influence. Influence usually relies on reward (which can include nonmaterial advantages, such as knowledge), but power cannot exist without the possibility of coercion. Second, there are rewards one cannot withdraw, either because one lacks adequate coercive power or because their beneficiaries already consumed them. At most, one can refuse to provide more. On the side of those over whom power is exercised exists an anticipatory element in which hope for continued reward becomes difficult to separate from fear of its withdrawal. Luhmann is right when he argues that power requires coercion, for without it power cannot endure. Yet power is not only power when coercive potential is at play. *Power achieves a lasting basis only if it has the ability to reward as well as to coerce.*

The following figure illustrates the interrelation of reward power and coercive power:


```
                        Power
                       /     \
                  Reward     Coercion
                  /    \     /      \
          Conferral   Withdrawal   Aggrievement
          /     \      /     \      /      \
   Bestowal  Temporary    Confiscation   Injury
             Conferral
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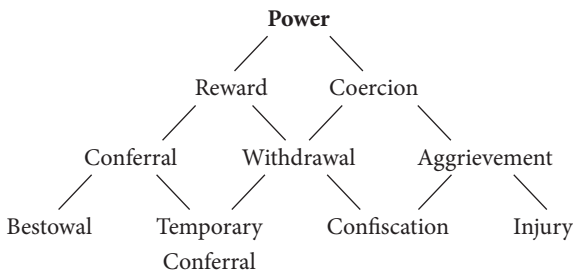
The counterpart to conferral of reward is aggrievement. Coercive power intersects with reward power in the withdrawal of what was conferred. Bestowal (conferral not subject to coercion) is the opposite of injury. In between lie temporary conferral (liable to withdrawal) and aggrievement by confiscation (the reappropriation of something bestowed or unrelated to previous conferral of reward). This entire structure represents power, and the interplay of its components is what gives power lasting stability. All parties in a given power relation will (more or less) anticipate this structure by locating themselves as subjects or objects within it. Situations always arise in which the person in the superior position can temporarily maintain power either with coercion alone or with

reward alone, but one-sided approaches are rare: the threat of coercion requires the promise of reward for those who enforce the threat; the promise of reward requires that the threat of coercion signal that rewards can be revoked or confiscated under certain conditions.

Thinking about power in this way corrects the mistaken belief that power is an independent substance. Contrary to popular opinion, *power is not a resource that can be stored and distributed at will*. It's a relation between two or more persons who acknowledge it. (Later I will talk about this acknowledgment in more detail.) Moreover, there is a variety of techniques that persons in superior positions of power must master to gain and maintain power. Where does violence fit into the above schema? The answer is easy to see: the ability to injure is the violent side of power on which the ability to confiscate is predicated. *Power is not based on violence. Power can be achieved with or without violence. Power can be asserted for the short term with no violence or with only violence. But it can be asserted for the long term only when it is capable of violence without relying on violence exclusively.*

Based on these considerations, power relates to violence as follows:
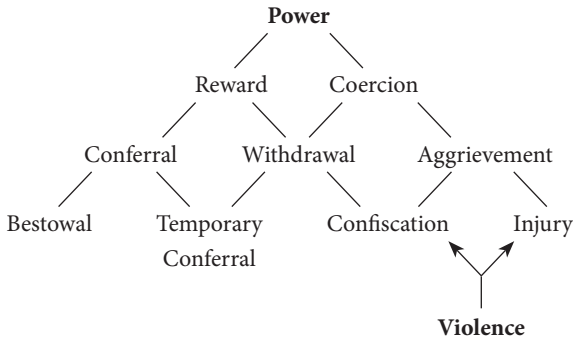
This figure shows the irreducibility of power to violence, yet it also shows that violence is never far from coercive power, or from power relations whose stability is in doubt. This is because the ability to injure and the ability to confiscate stand out among forms of exercising power in one respect: they guard the stability of the system, putting down resistance and demonstrating its futility in advance. The existence of this crucial function is the main reason people wrongly assume that power is nothing more than potential violence.

Though I may have suggested otherwise, the purpose of the schema is not to personalize abstract power. The "persons in superior positions of power" I spoke of do not gain and maintain power in the manner, say, of Caligula or Trajan. In the next sections I'll explore how such "bundled," dictatorial power relates to the fragmentary, impersonal power of modernity.

RICHARD III: A FLAWED POWER CALCULUS

The Duke of Gloucester, and the later King Richard III, is one of Shakespeare's most unscrupulous regicides, and a man obsessed with his legitimacy. His plans to kill the king are shaped by dynastic considerations: wooing wives, securing heirs, eliminating legitimate rivals, exploiting Parliament and the Church. Except for a scene in which he tries to recruit a henchman in most unregal fashion, Richard shows perfect command of legitimizing rhetoric, and has even mastered the verbal chicanery needed to convince those he has hurt that it's all for the best. Consider the famous scene in the first act where Richard interrupts the funeral procession of the king he murdered in order to propose to the dead king's daughter-in-law, whose husband he also killed. A great seducer in the erotic sense as well as in every other, Richard eventually prevails upon her to accept. In act IV, he goes one step further, asking the woman whose sons he murdered for her daughter's hand—again, with success. What's particularly striking about this latter scene is how Richard, in making his case, underscores the mechanisms all murderous regimes use to generate normality, amnesty, and amnesia:

> Plead what I will be, not what I have been;
> Not my deserts, but what I will deserve.
> Urge the necessity and state of times,
> And be not peevish found in great designs.
>   (IV.4.414–17)

Richard III is a textbook case of how to deploy strategic violence and institutionalize its outcome. Yet Richard fails in the end. Why? One could plausibly argue that his enemies are too powerful. But we must also keep in mind that Richard helps his opponents with his own mistakes (which Shakespeare scrutinizes as thoroughly as his triumphs). Put simply: Richard never manages to win over the establishment, only individuals. Despite the legitimacy he gains through murder and marriage, Richard remains a parvenu. He lacks the knack for creating dependency outside personal allegiance. He is a gang leader without a full-fledged gang, and the few who support him are far from constituting a governing elite. Most damaging of all, he doesn't recognize the need for generosity, or, at the very least the importance of making good on his promises. Richard fails to grasp that power can be maintained only when it can reward as well as punish those it subjects.

Fixated on violence, Richard seeks to secure his sovereignty as king through coercion alone. The two children who might one day challenge his claim to the

crown are locked away in the Tower of London, but as long as they live, Richard fears he will be nothing but a placeholder, so he decides to have them killed. He turns to his right-hand man, Buckingham, the person who has loyally supported his rise to power in word and deed. Richard assumes a quick nod will suffice to send Buckingham into action. But the latter is reluctant and requests a moment's consideration:

> KING RICHARD: Stand all apart. Cousin of Buckingham!
> BUCKINGHAM: My gracious sovereign!
> KING RICHARD: Give me thy hand.
> Thus high, by thy advice
> And thy assistance is King Richard seated.
> But shall we wear these glories for a day.
> Or shall they last, and we rejoice in them?
> BUCKINGHAM: Still live they, and for ever let them last!
> KING RICHARD: Ah, Buckingham, now do I play the touch
> To try if thou be current gold indeed.
> Young Edward lives—think now what I would speak?
> BUCKINGHAM: Say on, my loving lord.
> KING RICHARD: Why Buckingham, I say I would be King.
> BUCKINGHAM: Why so you are, my thrice-renowned lord.
> KING RICHARD: Ha, am I King? 'Tis so—but Edward lives.
> BUCKINGHAM: True, noble Prince.
> KING RICHARD: O bitter consequence,
> That Edward should live—true noble prince!
> Cousin, thou wast not wont to be so dull.
> Shall I be plain? I wish the bastards dead,
> And I would have it suddenly perform'd.
> And what say'st thou now? Speak suddenly, be brief.
> BUCKINGHAM: Your Grace may do your pleasure.
> KING RICHARD: Tut, tut, thou art all ice; thy kindness freezes.
> Say, have I thy consent that they shall die?
> BUCKINGHAM: Give me some little breath, some pause, dear lord,
> Before I positively speak in this;
> I will resolve you herein presently. *Exit.*
>   (IV.2.1–26)

While Buckingham is off deliberating, Richard summons another would-be hatchet man, a corrupt aristocrat of "humble means" named Tyrrel. He proves eager to cooperate, and sets about his mission at once. In the meantime, Buck-

ingham returns with his answer: "My lord, I have consider'd in my mind / The late request that you did sound me in" (IV.2.82–83). He does not say he is willing to do murder, nor does he say he is not, though he does intimate a willingness to negotiate. But by then Richard already has Tyrrel in his pocket and can no longer be bothered: "Well, let that rest" (IV.2.84). At this point, Buckingham tries to settle up, demanding payment for services rendered. Richard brushes off his requests by appearing to ignore them:

> BUCKINGHAM: My lord, I claim the gift, my due by promise,
> For which your honour and your faith is pawn'd:
> Th'earldom of Hereford, and the moveables
> . . . .
> What says your Highness to my just demand?
> KING RICHARD: I do remember me, Henry the Sixth
> Did prophesy that …
> . . . .
> BUCKINGHAM: My lord!
> KING RICHARD: How chance the prophet could not, at that time,
> Have told me—I being by—that I should kill him?
> BUCKINGHAM: My lord, your promise for the earldom—
> KING RICHARD: Ay—what's o'clock?
>   (IV.2.87–107)

And so it continues, until Buckingham is made to understand that the rules of feudalism no longer apply. This is the world of gangsters, and it's a very dangerous place for the superfluous. Buckingham decides to defect while he can:

> KING RICHARD: … I am not in the giving vein today.
> BUCKINGHAM: May it please you to resolve me in my suit?
> KING RICHARD: Thou troublest me; I am not in the vein.
>   *Exit followed by all save Buckingham.*
> BUCKINGHAM: And is it thus? Repays he my deep service
> With such contempt? Made I him King for this?
> O let me think on Hastings, and be gone
> To Brecknock while my fearful head is on.
>   *Exit.*
>   (IV.2.116–22)

Richard seeks to secure his power *ex negativo*. Like a person who tries to fireproof his house by removing the timbers that support it, Richard kills everyone

in his family who might threaten him. By the end, he's striking a familiar tone with a hired killer, as if the two of them were sharing a beer in a village tavern. Richard's downfall may have been Shakespeare's way of counseling the political elite: power can be neither gained nor maintained through violence alone. It always requires voluntary support, toleration, and long-term loyalty. Matters of power politics are matters of personal politics. Buckingham knows this; Richard does not. That's why at the end his kingdom is worth only as much as a horse to flee on, and not even that he can find.

CONSENT AS A FUNCTION OF TEMPORALITY

In his sociological study of power, *Phänomene der Macht*, Heinrich Popitz describes an episode in which a group of new passengers succeeds in monopolizing the deck chairs of a cruise ship. Though the group's behavior is ruthless, only in a few cases does it threaten violence, and the limited violence it does threaten does not explain its success. Popitz attributes this to two factors. The first is a superior ability to organize. The group follows a well-coordinated plan, while the other passengers remain a diffuse collection of individuals. Popitz calls the second factor the "reciprocal acknowledgment of legitimacy." The group's members do not only appropriate the deck chairs individually; they make sure that other group members do not lose theirs. Whenever another passenger tries to take a group member's chair, the entire group reacts in concert and with outrage, as if it were their moral right to have a seat. Popitz describes the absurd effectiveness of this strategy:

> An order, in particular a political order, achieves legitimacy in Max Weber's sense when it is acknowledged as "in itself binding." This acknowledgment is of a fundamental nature. It introduces an additional motive, beyond mere habit and opportunity, to behave in conformity with this order.... Now ... Weber sees legitimation along a vertical social axis, as it were: as a relation from below to above or from above to below. The rulers assert a claim to legitimacy toward those below, and the ruled address their belief in [the] legitimacy [of the order] toward those above. This simplification makes sense for describing fully developed structures of legitimacy. But it can be misleading when inquiring into the origin of that which regulates legitimacy—into the first recognizable traces of this process. On the cruise ship, a new order formed that privileged a particular group. For whom was this new order first legitimate? How did legitimacy crystallize? The answer is as easy as the question. The order first appeared legitimate to the privileged themselves.

The legitimacy of the order was based on more than an individual notion of right. It also arose from

> a principle of reciprocity in a process of exchange among the privileged.... Just as they helped one another in defending their rights to pursue their evident interests, they helped one another construct a convincing good conscience. I do not merely acknowledge my right; I acknowledge the right of the other who recognizes mine. —Because I acknowledge the other, I am in the right; because the other acknowledges me, he is in the right. —Because the other acknowledges me as I acknowledge him, and vice versa, our rights are grounded in the fact that *we are both* in the right.[57]

By what mechanism does this sense of righteousness among the privileged gain power over the others? Here Popitz is unclear.[58] He speaks of the "suggestive power of acquiescence," the "incredible contagiousness" of "a strong conviction that something is right and proper."[59] How this contagiousness works remains to be explored.

The reciprocal legitimacy within the group cannot be explained by Weber's model. It can only be accounted for by the fact that members and nonmembers, those in superior and inferior positions of power, anticipate the complementary relationship between a right to legitimacy and a belief in legitimacy. I do not want to suggest that participants calculate their post-power-grab prospects in advance. That would be too rationalistic. The anticipation consists in imagining a system that promises a greater degree of security and predictability than that offered by resistance, and a better position of power than that of a failed rebellion, even if it means some are less privileged than others.

Let us recall the view of David Hume: the power of the minority depends on the consent of the majority. There are various reasons why the people of the majority would choose to give their consent, including of course the expectation of privilege. But the main reason is what Popitz calls "order security":

> Participants in an order are "order secure" when they possess secure knowledge about what they and others may and must do; when they are confident that everyone will reliably behave as expected; when they can count on the punishment of most transgressions; when they can foresee what they must do to gain advantage and find recognition. In short, when they know where they stand.[60]

This sense of security also binds those in inferior positions of power—including the severely underprivileged—to the existing order. Indeed, the anticipation

of order may well be the chief reason why people consent to subjugation in the first place. Not every acceptance of power need be characterized as subjugation, of course, but the extreme cases make matters explicit. Those who, in anticipating order, are subjugated, or who subjugate themselves, do not throw themselves headfirst into the inevitable. Rather, their actions or inactions often precipitate that which will later seem inevitable. In the act of subjugation, their relation to power approximates a partnership. They do not merely yield to power; they place their trust in it. If need be, they can also revoke that trust, and the revocation of trust on a mass scale can bring about a regime's sudden downfall. Once the majority believes that the regime can no longer maintain order, fear of repression vanishes, or shrinks to a minimum, and the power of the regime diminishes. Military juntas that fail in war (as those in Greece in 1974 and in Argentina in 1982) lose their standing, and with it the self-confidence and assertiveness needed to maintain power. Here too an anticipation is at work: the belief among the people that the reigning power is finished.

The rebellious student who interrupts a lecture has no power except to hope that, once he defies the first call for order, trust in the instructor's authority will collapse. The question asked by the unsettled instructor—why didn't the majority of students, equally incensed at the interruption as he was, usher the agitator out the door?—is beside the point. The power of the instructor does not derive from the students in the auditorium. It derives from the university administration, whose job it is to ensure order. If the administration fails blatantly in this task, then its power, and trust in its power, are over. (A group of students who decided to throw out the agitator would momentarily disempower the instructor.) Generally in cases like these, people do nothing and watch out for themselves. Reestablishing order is not attractive for those who want order security above all else, since taking matters into one's own hands creates more uncertainty than conforming to the status quo.

One should not confuse the desire for order security with the desire for an authoritarian state or a strongman, though it can lead in that direction. Order security is first and foremost security in one's expectations; it means knowing "where one stands." When I am "order secure," I believe that my assumptions about the world do not differ significantly from those with whom I live. The ability to subordinate the need for order security to other desires is a rare psychological achievement. The desperado does it; so does the person who gives shelter to the persecuted. Both leave the realm of the secure order knowing full well that their actions stand no chance of producing a new one. The revolutionary, by contrast, leaves one secure order to create another. The repressive unfolding of power within the revolutionary group is often a form of compensation for the message of radical change it projects to those on the outside.

PARTICIPATORY POWER, TRUST,
LEGAL REGULATION

The consent of the majority that power requires for complete expression is it-self a form of power, specifically *participatory power*.[61] I speak here of power proper, not just of latent power or of a condition of power, to underscore the active nature of participatory power and its own ability to reward and coerce. Popitz explains how participatory power comes to be: "The value of the exist-ing order becomes evident in everyday experience, insofar as … the existing order … [enters] this experience."[62] An expression of the existing order in ev-eryday experience is the investment of interest in the system. This investment consists in

> a myriad of little everyday actions that … link the network of ties to the existing order. These actions by no means presuppose an affirmation of the existing order; nor do they require a special form of opportunism. They only presume enough conformity to prevent acts of heroism. But [these actions] imply much more than [conformity]. Just as everyone has an interest in retaining the fruits of his actions, he also has an interest in the survival of the order in which he has invested.[63]

By contrast, consider what it means not to participate in the power of the exist-ing order. The outlaw is just an extreme case. Those without enough money for food and without access to public facilities or other social subsidies are utterly powerless, as are the persecuted who can't count on state protection. Forcing your way into the order is not an option; the state denies you that right.

The techniques used by those at the top to gain and maintain power rely on the participatory power of those below. Participatory power includes ac-tions (or nonactions) such as supporting, tolerating, looking the other way, applauding, remaining uninformed, believing, idolizing, hating, forming an opposition, and bidding for power. *To have participatory power is to trust in the system, and vice versa*. Which is essential and which is merely equivalent will depend on your theoretical point of view and what you want to explain. Trust in "the whole"—that it will hold up, that it will endure—relies on prac-tices that constitute the entire spectrum of participation, from spectacular collective gestures to the "myriad of little everyday actions" that generate so-cial cohesion, and that we could not undertake if they did not bring with them a sense of that cohesion.

The meaning of participatory power can be seen in its internal differen-tiation into what Popitz calls "the clientele class," "the neutral class," and "the

pariah class."[64] Popitz argues that the power of the first group is delegated by those in control, though in my view it may have a participatory component as well. The neutral class consists of "the spectators, those not affected." They possess a special form of participatory power. They must be convinced that attempts to seize or expand power, including any conflict that erupts, will not affect them. The neutral class is "ultimately the most important, the decisive auxiliary force for taking power."[65] But according to Popitz the role it plays is altogether negative: the neutral class is incapable of taking power and forming allegiances with other groups. Its reward for passivity is a clear and stable boundary between it and the pariah class below. "The formation of a group of underprivileged … can count on the approval of [the neutral class], the non-underprivileged who stay on the [the order's] sunny side."[66]

The power of the neutral class is not delegated. Those in control neither entrust it with particular tasks nor monitor its performance. Instead, the power of the neutral class derives from letting the powerful do as they please. In some cases—as when the mob is given immunity—complacency can lead to outcomes as bad as state-directed terror. Victor Klemperer's accounts of Jews being harassed by ordinary citizens in Dresden illustrate a similar phenomenon. *Delegated power is the power of "you shall." Participatory power is the power of "you may."*

The distinction between delegated power and participatory power is especially clear in the premodern context, where the person at the top has authority over everyone below. This is the world of the dictatorial ruler who buys allegiance with the treasure chest; who discards his personal favorites at will; who "taketh what he giveth"; who dispatches his personal guards to take or destroy the property, freedom, body, and life of his subjects. By contrast, participatory power in premodern society began with those who saw personal advantage in the stability of the whole and who promoted it however they could. At times the small degree of power they derived from participation lent them superiority—over those they saw butchered at the local coliseum, burnt at the stake on the town square, or beaten and taunted in the streets. These are premodern expressions of power, though their provenance did not stop them from occurring again in the twentieth century. *To trust in modernity means to see these forms as archaic*, and to see them as anachronistic should they resurface. Some Germans described the rise of National Socialism as a return to the Dark Ages. As historical analysis, this is nonsense. But it reveals something important about what it means to trust in modernity.

To trust in modernity is to trust in the stability of societal differentiation. It is to trust in the legal regulation of social relations and its enforcement by the state. Power in modernity works in similar fashion. Enforcement must not

seem arbitrary; a single person must not occupy the seat of power; participatory power must be free of violence for all intents and purposes; and trust-securing practices must encourage abstinence from violence. *In modernity, the locus of power is empty. This means that there is no locus of power, neither at the top nor, by extension, anywhere else. It also means that there is no place that permits dictatorial power to be exercised over a specific sector of society.*

In modernity, governments have eliminated slavery, curbed the power of sects built on the dictatorial model, and prohibited employers from using violence. These facts appear to contradict my claim that those in power must master all aspects of power if they are to maintain it over a sustained period. But I never argued that one person must do all the mastering. Even dictatorial power requires a division of labor. The difference is that the purpose of modern differentiation is not to dictate power better but to create an interdependent network of actions. This has led some to describe modern power as an impersonal and fluid medium. On this view, one can ascribe power to certain groups—scientists, say—just because they have a more enduring effect on society than groups conventionally thought to hold power—politicians, say. But power in this sense is better described as influence *since it does not bring about concrete decisions.* For instance, a small group of nuclear physicists helped persuade the U.S. government to develop the atomic bomb. They did so by vouching for the bomb's feasibility and for their ability to construct it; they did not issue the order for the bomb to be built. Likewise, Oppenheimer and those around him played an important role in the selection of the first target, but they did not actually select it, and they could not have prevented its selection had they tried. In both cases the scientists lacked the coercive power needed to make the decision.[67] *The point of speaking about power is to make such distinctions.*

If power is an interdependent network of actions, then how can power's entire potential be present in each of its acts without being understood as an "impersonal and fluid medium"? The answer lies in the legal regulation of power relations. *The legal regulation of power relations is modernity's promise of coherence. It's also the condition of the possibility of power's permanent fragmentation. This is the form participatory power takes in modernity.* Legal regulation serves as the bridge between different moments of power, generating a network of interdependencies among them.

Employers possess power because they can induce large numbers of people to support their objectives. They do this by offering rewards—salary, position—and those who find those awards attractive sign a contract obliging them to fulfill certain duties. What happens when rewards are conferred but the desired action remains undone? It depends on the employee's contract, but, whatever it says, the employer cannot compel the action by force. *The continued existence*

of fragmented, legally regulated power relations presupposes a state monopoly on violence. Because the employer may not use violence—it is prohibited from injuring its employees or confiscating their possessions—the power it can exercise directly is limited. All it can do is threaten an employee with termination, but (in countries with strong labor laws, at least) it can only fire an employee under certain conditions, and the employee can always dispute the decision in court. The courts protect employees from the dictatorship of the employer, and it's the state monopoly on violence that guarantees this protection.

MONOPOLY

The state monopoly on violence is not something that either exists or not. *Wherever we encounter a state monopoly on violence we will notice that it is not fixed; rather, it's a moment in the monopolization of violence.* Though this process is neither linear nor irreversible, many countries have witnessed a persistent and extensive Hobbesian monopolization of violence over the past 350 years. The most spectacular instance is the nationalization of war and the elimination of semi-autonomous military undertakings. The nationalization of war enabled governments to increase their potential for destruction dramatically, turning every citizen into a potential soldier and providing access to new technologies: the railways, breech-loading rifles, machine guns, improved artillery, tanks, airplanes, rockets, nuclear weapons.[68] None of these developments—neither the world wars nor Hiroshima and Nagasaki—would have been possible without the state monopolization of military violence.

The nationalization of war is only one face of the monopolization of violence. Others are: the abolition of slavery in the United States; the suppression of revolt, such as that in Munich in 1918 or in Kronstadt in 1921; the legalization and nationalization of property seized by farmers after the Russian Revolution; the Night of the Long Knives; the outlawing of the duel; the ban on corporal punishment in schools and, recently, at home; the prohibition of marital rape; the successful mafia prosecutions in Chicago; the more or less successful breakup or pacification of guerilla movements in Uruguay, Germany, North Ireland, and the Basque Country; even efforts to license attack dogs.[69] Monopolizing violence means delegitimizing violence between citizens and policing its prohibition. *The task of the state monopoly on violence is to ensure the continuity of its monopoly on violence.*

Every illegal exercise of violence calls into question the state's monopoly on violence.[70] Those wronged have various forms of legal recourse to enforce their rights. Should they prevail, the state represents them across the entire spectrum of power, ensuring remuneration for damage to property and punishment for

violence committed against their person. Law defines the uses of power (who, when, why), and the state monopoly on violence enforces them. *The fragmentation and legal regulation of power creates a paradox: it both weakens and solidifies the power of individuals and organizations.* An employer has less power over its employees than a leader over a small band of thieves, yet the state monopoly on violence supports the employer in its interests and decisions, giving it far greater reach. For instance, though an employer cannot simply kick an employee to the curb at will, it can, say, request the state's assistance in keeping protestors off its construction sites anywhere in the world, even though its investments adversely affect the lives of local residents.

State power does not serve a specific purpose. The state regulates reward-based power and monopolizes coercive power and in return supports citizens and institutions that are in the right. *The exercise of state power consists—at least in times of peace—in distributing, policing, and enforcing the opportunities for power available to society.*

DELEGATION

Fragmentation and legal regulation bring to relief a problem that surfaces whenever power and violence coincide. How can the prince be sure his weapon bearer won't kill him? The answer is that he cannot. Rather, he must—pace Lenin—trust him. The extent to which trust—both general, institutional trust and direct, personal trust—serves as the linchpin in the relationship between power and violence can be seen in the drama that ensues whenever that relationship breaks down. The army Caesar assembled during the Gallic War was large enough that leaders in Rome suspected the provincial governor of dictatorial ambitions at home. His opponents in the Senate, concerned that Caesar might use his legionaries against them, ordered him to disband his men. Caesar immediately confirmed their fears by crossing the Rubicon and marching on Rome. Ferdinand II encountered an analogous problem 1,700 years later when he sought to terminate Wallenstein's command of the imperial forces. How do you disempower the most powerful man in the Holy Roman Empire? In Schiller's trilogy, the emperor relocates a portion of the army and places it under new rule; thereafter Wallenstein seeks an alliance with the Swedes but is assassinated before he can complete negotiations. In the twentieth century, Mikhail Tukhachevsy and other generals of the Red Army were murdered on similar grounds.

Augustus, Caesar's successor, combined dictatorship with the institutional structures of the Roman Republic.[71] He solved the issues of armed power by dividing up the provincial administration, placing one part under senate control

and the other under the emperor. Within the cities, where troops were forbidden, power was secured by the Praetorians, the emperor's personal bodyguards. To keep them in line, Caligula dispatched a contingent of troops from Germany who didn't speak Latin and hence were unable to form alliances with local forces.[72] A millennium and a half later, Ivan the Terrible proceeded in similar fashion, dividing Russia into the Zemshchina, ruled by boyars, and the czar-controlled Oprichnina, where boyars were forbidden from owning land.[73] Some dictatorial regimes apply this approach to terror, using private death squads for arbitrary repressions and police for controlling the death squads.

The regulation of violence with violence is a possible solution but it does not solve the problem. Two armies, one under the control of the executive branch, the other under the control of the legislature, would only undermine the state's monopoly on violence. *The state, therefore, must ultimately trust that the institutions licensed to use violence will not turn against it.* This is true both for centralized autocracies and for systems that are fragmented and legally regulated, *though the latter conceal the problem by replacing trust with control by law. The concealment is an illusion—a mostly effective one, but vulnerable to surprises nonetheless.*

The legal regulation of power makes coercion predictable. For the vast majority of cases, the deployment of coercive measures presumes a prior violation of law or contract. Laws stipulate when we can expect coercive measures and dictate the form they shall assume. In this way, laws define and restrict the activities of institutions licensed to use violence. Members of these institutions are simultaneously citizens and employees, with their obligations and rewards both governed by contract. Police are subject to the same legal control as citizens because they too are citizens. Police are required to arrest citizens suspected of serious crimes, regardless of whether the criminals are police officers and regardless of whether they committed their crimes while on duty. Nevertheless, policing oneself is not the same as policing others. While the police do not decide whether coworkers' behavior is legal—that decision is for the courts—their cooperation is crucial for the investigation of the crime and for the execution of the sentence. The refusal of the latter is rare—it would be tantamount to all-out rebellion—but the obstruction of the former is common.

Whenever reality contradicts the presumption of legality there's potential for catastrophe. In the summer of 1973, as Chile's coup d'état loomed near, Salvador Allende continued to aver the loyalty of the military, and on one occasion he angrily dismissed a journalist for raising doubts. The truth was that he had no alternative. Had he taken action against the military he would have incited the coup he intended to prevent. By affirming the military's allegiance, Allende

was trying to reinforce trust between the government and the armed forces. Juan Carlos I responded in similar fashion in 1981 when Antonio Tejero and his insurgents attempted to overthrow the Spanish government. In a national television address, Juan Carlos appeared in full military regalia and denounced the coup, appealing to his people as both their king and their head of state. In contrast to Allende, Juan Carlos succeeded and the coup collapsed.

Historical moments like these remind us that the legal regulation of institutional powers in their relation to one another differs from the legal regulation of institutional powers in their relation to violence. *Only organized, institutionalized violence can defy regulation without the threat of violent coercion.* The legal regulation of power and violence is so ingrained in our sense of normality that we forget how easily a coup d'etat can occur. And it can lead us to overlook the fact that the division of labor between institutions licensed to use violence is, politically speaking, a matter of divide-and-conquer. Nevertheless, these institutions—the police, the military, and so on—are not in competition with one another, for each has its own task. The purpose of the division of labor is to set boundaries in the event of arbitrary violence. Assigning one and the same institution to watch over external and internal security would erase the line between them, and give military leaders more room for political maneuvering. Conversely, armies that differentiate between normal soldiers and military police do a better job at policing themselves. What happens when the legal regulation of one or more parts of the power structure is repealed?

THE DYNAMICS OF DEMONOPOLIZATION

The answer depends on which part. If deregulation affects everyday affairs, then society may change—a government that relaxes or repeals workplace regulations is bound to increase anxiety for employees—but changes to the opportunities for power will not affect the power structure itself. For that to happen, deregulation must affect the state's monopoly on violence. This occurs, for example, when people lose their legally guaranteed access to vital resources and must resort to violence for survival. This can also occur when a group gains access to resources it was previously refused and the elite responds with violence to reclaim what had once been theirs exclusively. Again, as long as the monopoly on violence remains unaffected, decreasing regulation in parts of society will not damage the power structure as a whole. *Should laws governing the state monopoly on violence be effectively and comprehensively dismantled, however, a general trend toward deregulation will result.* The deregulation of a sector of society can increase risks for certain groups in that sector. But the

deregulation of state violence can increase risks for everyone, and in the process transform society and its power structure. The reason is simple. *When state violence undergoes deregulation, any legal relation within it may be disrupted or suspended.*

When a military dictatorship takes power, it typically eliminates the rights of the press, of opposition parties, and of unions, along with the majority's right to individual security. A priority is placed on the demonstration of personal loyalty to those who are in power and who control the instruments of violence. Actions become centered on currying favor or avoiding disfavor, and people are ever more inclined to regard the complex power structure of their society as a dictatorship. Here again power is not just the exercise of power; it's also the anticipation of power. The moment people begin to regard a fragmented power structure as dictatorial it need not really be so, but by anticipating a dictatorial power structure, they partially make it so. To stay with our example: a junta that takes control of a government can wage guerrilla warfare and repeal the laws that restrict the deployment of armed authorities, but at some point the leader of the junta might, say, be talking with business owners about whether a tax exemption for a certain investment serves the goal of national renewal only to discover that the country's largest banks have already placed his son-in-law on their advisory boards.

A system of fragmented power becomes thoroughly dictatorial only on rare occasions. In most cases, a dual state emerges. Those who want to rise and prosper in such states must always be ready to answer the question *Qui vive?* correctly, and more promptly than anyone else. What gives modern dictatorships their characteristically surreal and diffuse sense of fear is not dictatorial power as such—though it can appear unexpectedly at any moment—but its coexistence and intertwinement with fragmented and legally regulated power.[74] *Power structures that oscillate in this way are highly effective at eliminating political options. They are also effective at carrying out economic projects with a high level of state involvement, since they shorten decision times. Such power structures tend to favor social immobility while being more vulnerable to economic crisis. The suffering they cause spans generations.*

This oscillation explains why people who live in dictatorships offer contradictory justifications for obedience. On the one hand, they are just "cogs in a wheel" and, as such, unaccountable for their actions. On the other hand, they claim to live under constant threat of imprisonment or execution. The first explanation applies more readily to functionally differentiated and legally regulated societies, whose citizens each have a role and stick to it. This may be true in dictatorships as well, but there is a difference. Empirically and intuitively, we know that people in totalitarian societies are indeed subject to intimidation; "constant threat" may not be too far off the mark. The unsettlingly ambiguous

character of systems whose power relations oscillate between these poles of dictatorial and fragmented power produce such conflicting justifications, for each form has the ability to complement and compound the demoralizing potential of the other. It would be theoretically and politically fruitful to identify the specific weaknesses of oscillating power by closely investigating the collapse of twentieth-century dictatorships (Greece, Argentina, Eastern-bloc countries, and Yugoslavia). Whatever the weaknesses, though: *States that oscillate between fragmented, legally regulated power and dictatorial power can move toward either the former or the latter. They can also collapse into competing centers of power*.

National Socialism tended to follow the third route. The fact that the Night of the Long Knives reestablished the monopoly Ernst Röhm called into question may seem to offer counterevidence, but this isn't so. On the contrary, the breakup of the SA—the Sturmabteilung, a paramilitary wing of the Nazi Party—revealed a defining characteristic of Nazi rule: controlling violence through the use of competing forms of violence. The Nazi regime availed itself of an organization licensed to use violence for the purpose of eliminating a different organization licensed to use violence.[75] In an ideology oriented exclusively toward *das Volk*, the horizon of action was more diffuse because power relations were governed not by law but by utility, which personalized power and fetishized rule by decree.[76] The logical extension of ethnic nationalism is the Führer state, where the leader has followers but lacks anything like constitutional legitimacy. The followers, in turn, vie for power not as instruments of the state but as individuals who act in their own interests.

Stalinism was different. Its mystery lay in the fact that the Great Purge did not result in a breakdown of power. In Nazism violent exclusion went hand in hand with equally violent promises of inclusion. Racial policies indicated in fairly straightforward fashion who belonged in Germany, and who stayed at their own peril. In Stalinism those certain of conforming to official ideology could issue their own promise of inclusion for themselves. At some point, though, most realized that party membership or commendations or personal ties to party heads were worth little when it mattered. Generally, a state's power structure cannot achieve lasting stability unless the majority of its citizens receive a credible promise of security and unless those in superior positions of power possess more security than those in inferior positions of power.[77] Neither occurred in Stalinism. Why did it nevertheless remain stable?

PARTICIPATORY POWER AND VIOLENCE

External factors may have played a role but they do not provide an answer. The key to Stalinism's stability was its transformation of insecurity into a form of

life. Secure in this state of insecurity, the citizens of the USSR lived in constant anticipation of what was to come. In such a world, denunciation is habit-forming. Life isn't pretty but people can live it, as history has so often shown. Out at sea with no coast in sight, people have to swim, even when there's no guarantee they won't drown. *Denunciation is a form of violent participation that does not challenge the state monopoly on violence. It's the trust-stabilizing practice par excellence for states that use terrorism as a means of control.* One should not underestimate the satisfaction that informers, otherwise powerless, derive from this negative power, negative in the sense that, while they can destroy the lives of those they denounce, denunciation does nothing to improve their own. While those without power in a totalitarian system have even less power than those without power in other political systems, they *can still* destroy others' lives. This is an option that those in other systems cannot so easily exercise, except in times of war. (The informer in the fascist *Volksgemeinschaft* must adhere to the guidelines he's given.) Stalinism's problem was that it could not contain the practice of denunciation after unleashing it. The bureaucracy became swamped with denunciations, and the apparatus threatened to come to a standstill.

To be sure, denouncing others has its benefits: the opportunity to advance to the newly vacated post of the one whose life you destroyed, for instance. But people can denounce others for reasons beyond careerism, whether out of fanatical support or just plain malice. Whatever the motivation, the power of denunciation does not affect the state's monopoly on violence. Indeed, denunciation is the form of participatory power that turns state-organized power into a destructive force in the first place. What is unique about this type of participation is that it seems to be, conventionally speaking, pure evil. The informer has no more power to shape the political system than the noninformer, but the power to ruin one's neighbor is immense just the same.

Studies have shown that the Gestapo relied heavily on the astounding willingness of people to denounce others. "In many cases," writes Gisela Diewald-Kerkmann, "the Gestapo was more reactive than active in its work."

> Work colleagues, neighbors, acquaintances, former friends, and even family members informed the agencies of persecution about real or potential enemies of the Nazi regime…. [Not only did they] blow the whistle on political resistance. They also reported instances of deviant behavior, such as speaking critically of the regime, interacting with Jews, refusing to give the Hitler salute, or fraternizing with prisoners of war or forced laborers.[78]

The *willingness* of people to ruin their fellow human beings—despite Reinhard Heydrich's efforts, there was never a *duty* to do so—enabled the Gestapo to

exercise extensive control with a surprisingly meager staff. As Saul Friedländer points out, the anti-Jewish legislation passed in 1933 and the later incarceration of Jews in Germany would not have been possible without mass cooperation from the German population.[79]

In Nazi Germany as well as in the USSR, state violence depended on the participation of the people. Without it the destructive extremes for which both regimes became notorious would not have been possible. Yet a populace accustomed to carrying out violence also represented a risk. As Diewald-Kerkmann notes, "The National Socialists were truly worried that this system of denunciation could subvert the state's authority, undermine indispensable forms of loyalty and trust, and, in particular, paralyze the economy."[80]

MODERNITY AND VIOLENCE

The picture I have painted of modernity—in some sense, the picture that modernity paints of itself—is that of a fragmented and legally regulated power structure underwritten by a state monopoly on violence. This power structure allows functional differentiation to thrive and determines modernity's practices of social trust. It also defines the risks: institutions licensed to use violence that cannot themselves be controlled by violence; the deregulation of the entire power structure should those institutions turn against the state; the subversion of the power structure when too much of the population participates in violence. These risks can be described as crises of trust, and crises of trust are always crises of trust about the trust of others. Consider when, to prevent lawlessness and preserve trust in the whole, a government undoes the legal ties binding organizations responsible for violence or encourages the population to take part in violent demonstrations of trust and to watch vigilantly for those who show too little.

As I argue in chapter 1, trust consists of practices that stabilize it collectively. These practices serve to provide mutual assurance that, barring anomalies or willful eccentricities, life will continue as it has. These practices can be ritualistic in character, or they can take place at the level of the social institution or in everyday interaction, where they assume an eminently communicative character, informing us who we are and who we want to be. Trust must be permanently manufactured through the interplay of three essential elements:

Social Interactions ———————— Institutions

Collective Beliefs
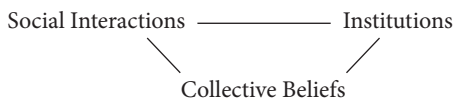
Because a notion of the whole is unavailable in modernity, our collective beliefs are attached instead to forms of social interaction. When violence erupts, the institutions of modernity implement control measures (whose reach extends as the state monopoly on violence grows). The general schema for modernity is thus:

Social Interactions ———————— Control Measures

Collective Beliefs
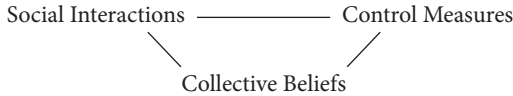
Control measures do not exclude the possibility of violence; indeed, a government's attempt to exclude all violence would overwhelm the monopoly on violence or force the state to resort to terror. The modern state intervenes only when social interactions deviate from their expected course. *Modernity's model of trust is based on the general belief that we do not have to reckon with violent assault in our dealings with one another*. We tolerate certain zones of insecurity—the train station after two in the morning, say—because they are reasonably avoidable. This view of violence forms part of our collective beliefs: who we are in the geographic and historical sense, our concept of self, what it means to call ourselves civilized. Every culture has the task of legitimizing violence in certain places and at certain times and delegitimizing it everywhere and everywhen else. *Modernity's particular forms of legitimation and delegitimation distinguish it from all other cultures.*

Delegitimation/Relegitimation

There seem to be in this assembly some delicate ears which cannot stand the sound of the word "blood."

　　—GEORG BÜCHNER, *DANTON'S DEATH*

MARSYAS

Nec quiquam nisi vulnus erat—nothing but wound. This is Ovid's description of Marsyas in *Metamorphoses*. Marsyas owes his condition to Apollo, who skinned the satyr alive for daring to challenge him to a musical contest:

> [H]e was one great wound, with blood flowing,
> The nerves exposed, veins with no cover of skin
> Over their beating surface, lungs and entrails
> Visible as they functioned. The country people,
> The woodland gods, the fauns, his brother satyrs,
> The nymphs, and even Olympus [his friend and pupil], whom he loved
> Through all his agony, all wept for him
> with every shepherd looking after his flocks
> Along those mountain sides.[1]

The particular goriness of this episode, extreme even for Ovid, shows that Arno Schmidt's dictum "you cannot tell the nationality of a screaming man" may be true strictly speaking, but its implicit appeal bears the unmistakable mark of modernity. Ovid's clinical description of naked violence—naked in its bluntness and in the way it denudes the body of its last line of defense—reveals that premodern sympathy depended very much on who was doing the screaming. In Marsyas's case, the gods of Mount Olympus felt no pity.[2] The nymphs and the fauns were the only creatures who did.

Violence is a scandal to those who suffer it and to those who suffer vicariously with them. For everyone else, well, it depends on the culture. *Ovid* does not say that violence is terrible, only that violence is terrible for those on whom it is inflicted. But *we* have a hard time reading the story of Marsyas—and seldom has verse been more violent—as anything but an appeal to compassion. For us children of modernity, violence contains something shockingly archaic. (The furtive or labored pleasure we take in its representation attests to our unease.) Our shock shapes the way we use the word. To call something "violent" is to denounce it, to call it into question by inquiring into its legitimacy. We must keep in mind, however, that our attitudes toward violence—our emphasis on certain aspects as problematic, our attempts to explain it—are symptoms of modernity and the result of a historical upheaval. In Ovid's day, there was nothing problematic and nothing to explain. Flaying posed a problem for Marsyas as the victim, but did Apollo no discredit. In this, Ovid couldn't have been more distant from Arno Schmidt, who, referring to the violence of existence, wrote, "The world is something that it were better should not be."[3]

MAX STAYS SEATED

"Get up, Max, get up!" cried the radio announcer, audibly distraught. Even had Max Schmeling heard these words, he would have been unable to heed them. When Schmeling was knocked out by Joe Louis on June 22, 1938, two minutes and four seconds into the first round, his days as world heavyweight champion were long over. Though he had defeated his opponent two years earlier, by 1938 he no longer stood a chance. Schmeling won the title in 1930, lost it in 1932, and in the interval had defended it just once, unconvincingly, to an inferior opponent. Far more memorable than Schmeling's reign is the way he won the heavyweight crown in the first place.

Gene Tunney, the previous world champion—he earned his title by proving himself stronger, and more intelligent, than Jack Dempsey—managed what few boxers have: he retired both rich and undefeated. Schmeling, who had fought his way from the boxing backwater of Germany into the sport's international ranks, stepped forward to contest the vacant title. His opponent was Jack Sharkey, the reigning American heavyweight champion. For the first three rounds, Sharkey dominated the fight, and everyone assumed he'd win. Then, in the fourth round, Sharkey delivered a low blow that sent Schmeling to the canvas. Looking to be in great pain, Schmeling cried foul, and staggered back to his corner. The referee told him he could stay seated until he recovered, but Schmeling's trainer was not satisfied. "He got fouled and you should give him

the title. Look how he's suffering." While the referee was deciding what to do, Arthur Brisbane, a leading journalist at Hearst, is supposed to have called out from ringside, "If this fight and the championship aren't awarded to Schmeling, I'll kill boxing in this state."[4] Schmeling was soon declared the winner. He had a choice: continue to fight or stay seated. He chose the latter.

Boxing is an interesting case because it exemplifies a structural model all cultures share. The boxing ring is not an enclave of violence in an otherwise violence-free world. It's a zone of regulated violence in which people are permitted to harm each other with their fists—something that, with very few exceptions, is forbidden outside the ring. Moreover, people who box may *only* harm each other with their fists. They may not use their feet, their teeth, or any other means, and they may only strike their opponents at specific parts of the body (a rule whose violation gave Schmeling the title).[5] Boxing, in other words, permits certain forms of violence and prohibits others. It also, ultimately, mandates the forms of violence it permits. Once in the ring, a boxer must box. If all a boxer does is avoid his opponent's blows, he will be warned for stalling, and if he continues to dodge he'll be disqualified.

If the boxing ring were a place of unregulated violence, limited only by location, it might be fascinating, but the events would not generate narratives, just gruesome anecdotes. Boxers can become enduring objects of our imagination only because, like society, the ring is governed by rules. The difference between society and the boxing ring is that the latter permits an activity that the former generally forbids. Because boxers must follow rules just as we do, we also know they are people just as we are. It's how we know they are fighters, not monsters.

PERMITTED, PROHIBITED, MANDATED

Cultures are never per se violent or per se peaceful. Nor is it easy to argue that one culture is more violent or less violent than the next. The truth is that cultures are violent in different ways. These different ways can be thought of as different forms of civilization. I use the term *civilization* because a society that sees itself as civilized believes it imposes reasonable and coherent restrictions on violence. We call cultures that do not seem to impose such restrictions barbaric. The distinction between civilized and barbaric—a method of reducing cognitive dissonance about what counts as human—will be taken up again in the next section. Here I want to underscore the implied connection between notions of civilization and notions of violence. *Specifically, a civilization's form is characterized by its zones of violence—the areas in which it prohibits, permits,*

or mandates violence, alone or in combination. No rigorous study of violence can ignore these zones, for they are the backdrop against which all talk about violence takes place. *Every legitimation (or delegitimation) of violence seeks to reinforce (or change) presumed zones of permitted, prohibited, and mandated violence.* These zones share a fundamental link with the type of social trust that characterizes a civilization. Indeed, *social trust rests on the stability of these zones.*

When we speak of "violent people" we are not describing general behavior but a specific trait—in this case, the tendency to transgress. The same is true when we speak of "peaceful people." If we worry that the violent could strike when it's not appropriate, we might also worry that the peaceful could refuse to strike when it is. Medals in the military are awarded for courage, not violence, and there are no commendations for the bar fights one *doesn't* start.

The most important distinction for any form of civilization is that between war and peace. This is not an absolute distinction between permitted and pro-hibited violence, but it is still a stark one: it stipulates when violence is man-dated and when it is not. For those who fight in war—be it minor skirmish or major battle—violence is not only allowed; it is a must. This imperative is not tantamount to general permission, mind you. Wars both ancient and modern have set boundaries. Between the Thirty Years' War and World War II, warfare restricted itself to the specific geography of the battlefield, and it acknowledged and emphasized the distinction between combatants and noncombatants by outfitting the former with uniforms.[6] Though soldiers who did not exercise vio-lence in battle faced punishment for cowardly conduct, they were permitted neither to kill nor to injure opponents who surrendered. By contrast, in many premodern wars it was perfectly acceptable to butcher the enemy under any circumstances. What was objectionable was sparing him or taking him pris-oner. Often the option did not exist in the first place. The instruments of war are subject to similar restrictions. In almost every age, certain weapons have been anathema regardless of their availability. Poison gas was tried in the First World War and banned in the Second, and this ban remained in effect despite the terrible atrocities that accompanied the latter. In earlier eras, the crossbow was thought to provide unfair advantage, which prompted a pope to outlaw its use, at least against Christians.

Wars are generally characterized by mandated violence, but they have known permitted forms of nonmandated violence too. For example, in the Middle Ages conventions existed for the siege of cities. The attacking army had a cer-tain amount of time to storm the walls, during which the besieged population would await reinforcements. If the reinforcements did not come, the attacking army would give the city an ultimatum: surrender, or face plunder should the

assault succeed. In Shakespeare's *Henry V*, we find a rationale for this ultimatum. King Henry explains:

> How yet resolves the Governor of the town?
> This is the latest parle we will admit.
> Therefore to our best mercy give yourselves,
> Or like to men proud of destruction
> Defy us to our worst; for, as I am a solider,
> A name that in my thoughts becomes me best,
> If I begin the battery once again,
> I will not leave the half-achieved Harfleur
> Till in her ashes she lie buried.
> The gates of mercy shall be all shut up,
> And the fleshed soldier, rough and hard of heart,
> In liberty of bloody hand shall range
> With conscience wide as hell, mowing like grass
> Your fresh fair virgins and your flowering infants.
> … What rein can hold licentious wickedness
> When down the hill he holds his fierce career?
> We may as bootless spend our vain command
> Upon th'enraged soldiers in their spoil
> As send precepts to the leviathan
> To come ashore. Therefore, you men of Harfleur,
> Take pity of your town and of your people
> Whiles yet my soldiers are in my command.
>   (III.3.1–29)

In times when violence was permitted, the victorious army could do what it wanted: plunder, demolish, raze, rape, torture, kill. The orgies of raptive and autotelic violence we know from literary and historical sources were bounded only by space (the walls of the besieged city) and by time (the period in which one could plunder before having to report back to duty).[7]

The history of violence in modernity is the history of a changing meshwork of boundaries that limit violence both from without (the place of violence) and from within (the rules of violence). Consider the role of guns in civilian life. Most modern countries prohibit them, but even those that do not set clear regulations for their use. The Western insisted on this principle. You can pick fights until your heart's content but you may not shoot another unless he tries to shoot you first—in which case the sheriff will talk to the witnesses and check to see if the dead man's hand is on the revolver. Some ages knew the duel, others

did not, but those that permitted it did not permit it for everyone. Another example is violence in the family. For many years, it was a place of permitted violence. Parents were permitted to beat their children, and husbands were permitted to beat their wives, even rape them when they refused sex.[8] Gradually, though, the state passed legislation making the family a violence-free zone. The same is true of schools, where in the not-so-distant-past teachers could paddle, cane, or beat recalcitrant pupils with impunity.

It's usually impossible to differentiate forms of prohibited, mandated, and permitted violence by degree. Which culture is more violent? The one that permits plunder and massacre under certain circumstances governed by law, or the one that prohibits such acts but produces hecatombs of dead and crippled on the battlefield using explosives and poison gas? I am not saying that such questions admit no answer, only that every answer will reflect certain preferences about which acts should be prohibited, mandated, or permitted, and which should not. When we say one society is more violent than another, it's because we believe that the violence it contains is harder to legitimize.

CIVILIZATION AND BARBARISM

Why do people become violent? This question is neither sociological nor historical; it's also psychologically naïve. Most of all, it misjudges the context in which the question arises. But its naivete is understandable, for it emerges from modernity's idea of itself as progressively eliminating the amount of violence it practices. *Every form of civilization tends to see its way of differentiating prohibited, permitted, or mandated violence as natural or God-given (or whatever metaphor it uses to express indubitability).* Whenever two different forms of civilization cross paths, their notions of violence clash. In the absence of self-reflection, the one form of civilization will see the other not just as different but as in violation of the very idea of civilization. *Particularly in instances of violence, the one will regard the other as barbaric (or its equivalent) and defend itself as civil (or its equivalent).* This perspective results, in part, from a failure to grasp one's own contingency. But the issue of seriousness I discussed in chapter 1 also plays a role. To what extent is having values compatible with knowing they could be otherwise? Imagine someone who says: "Were I someone else, or from another time, or from another place, I would do differently than I do. Because I know this and don't want to be thought of as naïve, I could, given time, state the reasons that brought me to accept the contingent principles that guide my actions."[9] Could we rely on someone who thought this way? Would it not rather give rise to something like Gretchen's doubt: the sus-

picion that those aware of their contingency treat morality like Faust treats the sacraments—with respect but without conviction?[10]

The brief and violent clash of the Aztecs and the Spanish is so instructive because they were cultures that knew nothing of each other beforehand, that never met on neutral territory, and that literally did not understand each other. Todorov's study of this meeting of cultures is worth reading because it shows the extremes to which mutual incomprehension can lead and the vast differences from culture to culture in what it means to "understand the 'other.'"[11] Consider the gravest aspect of the encounter between the Aztecs and the Spanish: warfare.[12] The Aztecs and the Spanish each waged an entirely different form of war against the other. Their conflict shows that, contra Carl von Clausewitz, war has no essence; one can speak only of wars in the plural, not of war in the singular. What wars share is not common ground but something like what Wittgenstein called family resemblance. War, writes John Keegan, "is always an expression of culture, often a determinant of cultural forms, in some societies the culture itself."[13] The extent to which the culture of war is bound up with other cultural forms is shown by the difficulty of changing it. By the time the Aztecs were able to adjust their form of warfare to the circumstances, it was too late.

The Aztecs went to war to take as many new prisoners as possible. The purpose was not to exploit them economically—slaves would not have increased the yield of the region's poor soil—but to sacrifice them.[14] The Aztecs brought the prisoners to Tenochtitlan, placed them in cages, and fattened them. When the day of sacrifice came, they marched them to the top of the main pyramid and cut out their hearts. After burning the hearts, they consumed the bodies, usually in the form of a stew spiced with chili.

The Spanish, by contrast, went to war to kill. In just seventy-five days they took Tenochtitlan—a city the conquistadors claimed was larger and more beautiful than any in Spain—and razed it. Factoring in those who starved during the siege, the Spaniards estimated Aztec losses to be between 100,000 and 240,000 men.[15] Assuming that Spanish losses in prior battles were offset by the soldiers who had deserted Diego Velázquez in Cuba, Cortés would have had some five hundred troops going into Tenochtitlan. Only around seventy men, or one-seventh of the Spanish forces, were captured during the siege. "Captured," mind you, not "killed." Because the Aztecs wanted to sacrifice and not just kill their enemy, they made great efforts to take the Spaniards alive, suffering immense losses in the process. Had this not been their objective, had the Aztecs waged a war of annihilation instead, the outcome would surely have been different. For the number of prisoners they took—despite the technological superiority of their opponent and despite their own losses—demonstrates one

thing: the same physical energy directed into killing would have assured Aztec victory.

Of course, even had the Aztecs defeated the Spanish initially, famine and disease would have ensured that their victory was short lived. But this is beside the point. The Aztec defeat at Tenochtitlan was caused by their inability to adopt a different form of war. For the Aztecs, killing thousands and leaving them to rot in the flat open country were senseless and barbaric actions; for the Spaniards, human sacrifice and cannibalism were signs of devilry.

Cultures can change and adjust, but it takes time. By the time the Aztecs learned what a war of annihilation was, they had already been conquered. A different type of adjustment, not as dramatic but just as significant, took place during the Hundred Years' War. Both the French and the English fought with cavalry and lightly armed infantry, but the English also had at their disposal a regiment of archers equipped with a new weapon called the longbow. Standing almost as tall as a soldier and firing arrows that could penetrate armor, the longbow had devastating consequences for the French, who lost two battles—at Crécy (1346) and Agincourt (1415)—as a direct result.[16] That it was two battles and not one testifies to the inability of the French to produce a similar weapon and assemble similarly qualified troops with sufficient speed. More significantly, it indicates the failure of the French to adjust their defensive tactics to the new weapon. The troops marched just as mindlessly into the hail of arrows at Agincourt as they had at Crécy.

The traditional knightly battle began with the cavalry cutting down the infantry and proceeded with a giant clash—hand-to-hand combat on a massive scale. The deployment of the longbow changed the character of war decisively. From France's point of view, the English did not win at Crécy. They may have killed and captured more knights than the French, but they did not leave the battlefield the better opponent. The French saw the English victory at Crécy as a bizarre and tragic accident, something honorable knights best eschew. The English saw Crécy as a testing ground for a new type of weapon that, once proven, warranted further use. For the English, traditional warfare was irrational and foolish; for the French, the new warfare was barbaric and lawless. Conflicts between technology and morality such as these occur constantly in moments of civilizational transformation.

When the zone of permitted or required violence expands, new instruments of violence come into question that did not come into question before. The National Socialists waged war not only against the Soviet Union's army but against its people, which they justified as a means of long-term security.[17] This style of warfare represented a new military strategy, but its newness did not stem from other modern armies overlooking it; other modern armies rejected the strat-

egy because it violated the principles of modern warfare. This is why some officers in the German army rebelled despite actively participating in the war and despite sharing Nazi ideology.[18] Most officers were antisemitic to a certain degree, tolerated radical views, and supported the general war aims. The problem was the kind of war implicated by those aims. The few who considered the consequences rebelled; their idea of themselves as soldiers was not compatible with a style of warfare that had become the rule, not the exception (which they would have gladly overlooked).

Many historians have found it difficult to understand their scruples. How can one see the conspirators in the July 20 plot as acting morally when they did not staunchly oppose the Nazi regime and did not speak out against the invasions of Poland and the Soviet Union? Other historians argued that Germany's style of warfare necessarily resulted from the aims of the Nazi worldview. The conspirators, therefore, must have been insincere in their beliefs (opposing the Nazis only when German victory became unlikely), or they must have seen the light all at once.[19] Yet a means-end calculus would have made sense for German officers only if they conceived of war according to the new, expanded idea of violence espoused by the Nazis. Had they proceeded from a traditional concept of warfare, they would have seen talk about exterminating Jewish Bolsheviks as the usual bluster spoken by politicians and officers in times of war.[20] They would *not* have seen it as pertinent to war aims.

A different form of rebellion took place at the Battle of Agincourt. The success of the longbow allowed the English to capture so many French knights there were not enough soldiers to guard them. The English king, Henry V, fearing that the prisoners could overwhelm the guards and attack the English army from the rear, ordered their execution. His command violated every custom of war previously in effect, and its aftershocks could still be felt in Shakespeare's times.[21] Yet historical sources indicate that the English knights never executed his order. Material considerations may have played a role—dead knights brought no ransom—but more important was the command's violation of knightly honor. Though the model of war had changed, the new style of warfare was not beholden to instrumental rationality entirely. *Instrumental rationality never occurs by itself, not even in war. It is always normatively framed, and the normative framework determines the very means and ends that come into question.*

The war King Henry wanted to wage was not the war the English knights wanted to fight, and they refused to bear responsibility for a change to the zones of prohibited and mandated violence. The king attempted to circumvent the knights by passing the order to the archers, some of whom had been conscripted while in line at the gallows. Unlike the knights, the archers did not have the privileges of class, and hence lacked its attendant code of honor. They

did not enter the battle with a concept of war informed by tradition, learning, and experience. We do not know whether the archers ever carried out the king's order, but the Battle of Agincourt is still instructive as a place where three models of war—three models of violence, three models of civilization and barbarism—converged.

THE *I* AND THE IDEA OF HUMANITY

Collective beliefs are closely tied to notions of violence. Homer's Thersites is contemptible,[22] while Shakespeare's is just venomous, someone who speaks truth to a whole assortment of brutes. The differences between the Achilles of the *Iliad* and the Achilles of *Troilus and Cressida* are no less revealing. Collective beliefs also include a conception of the individual who shares them. It's a commonplace of intellectual history to claim that the use of the first-person singular gained importance over the course of modernity, that this development went hand in hand with the disappearance of a binding world order, and that a grammatical form emerged to provide orientation in an increasingly differentiated society. But is there a connection between the importance assumed by the first-person singular and the relationship of modernity to violence I described in chapter 2?

Montaigne's statement that nothing tempts his tears like tears was, in its emphaticness, first possible with the advent of modernity, and even there it occupied the absolute vanguard of its time.[23] Compassion is a universal phenomenon and its importance has been acknowledged throughout history, but before Montaigne its open expression was more controversial.[24] An ancient Greek who spoke such words would have been held in contempt. In Christianity, displays of compassion required a specific context, and would likely have included reference to the passion of Christ. In Montaigne, there is no context, just a book whose sole purpose was to make lavish use of the first person.

In function, the first-person singular in modernity differs from its premodern usage.[25] To see how, place Augustine's *Confessions* and Montaigne's *Essays* side by side. Augustine begins with the invocation "You are great, Lord, and highly to be praised" (a quote from Psalms), and a few paragraphs down adds, "The house of my soul is too small."[26] The "I" makes its first appearance ("Lord, I would seek you") only after a general pronouncement ("In seeking him they find him."[27] Now compare this with Montaigne, who begins his preface with "You have here, Reader, a book whose faith can be trusted" and continues, "I myself am the subject of my book."[28] By no means are these words the progeny of Augustine. As Kurt Flasch points out, Augustine's *I* does not reflect "a theory

of the person aimed at individual intellectual experience."[29] Augustine brings the *I* into play only to remove it. In Montaigne's *Essays*, the *I* is the foundation. Yet its fluid next-to-nothingness irritated many. Hume called it "a bundle of perceptions," and Faust, at Gretchen's bedside, called it a "mere [plaything] of the atmosphere."

For René Descartes, Montaigne was not a provocation, as Hume was for Kant, but an existential threat. The world seen from the fortified walls of Château de Montaigne had fractured into a mosaic of brilliant snapshots. Descartes pieced it together again with demiurgical élan. He even explained away the nuisance caused by Montaigne's comment that one couldn't really know if a cat is playing with you or you with it: animals are machines, and machines do not play. (Clearly, Descartes never owned a cat.) Yet Descartes' victory was like the triumph at the end of Heinrich von Kleist's "The Duel": Pyrrhic. As is so often the case among philosophers who seek to bring home what they hold most dear, Descartes went the way of Orpheus.

While Descartes' system is one of the greatest achievements in European thought, it turned out to be little more than a stunt. The idea of making uncertainty the foundation of yearned-for certainty was brilliant, but the emotion necessitated by this brilliance—it was a matter of life or death—was too strong, and the brilliance was just compensation for what the system otherwise lacked. Descartes was agitated by Montaigne's public display of pleasure in uncertainty, in open-ended thought experiments, in doubt and inconsistency, and he was perturbed by the strength of Montaigne's *I*.[30] So Descartes turned the first-person singular from something dubious into the cornerstone of his philosophy. But what's a house worth that conceals its cornerstone? Descartes' *Discours de la Methode* is a pendant to Leibniz's *Theodicy*. The architect makes a grand show of using compass and level, yet it's impossible to overlook the irregularities and yawning gaps in his construction. Was this carefully reasoned carelessness or a sign of transcendental homelessness? The reason Descartes had to exert such effort is simple: he believed in nothing. All his attempts to attain mastery over the world could not reel in the *cogito*. Ever since, even the Christian creed has sounded different. God now exists by the grace of the first-person singular. Later thinkers will come to see this false inference as doing away with God Himself.[31] Philosophy's failure to free itself from the desire to make good on a promise of certainty that religion and theology no longer care to provide is one of the fiascos of Western intellectual history, if not one of its tragedies.[32] But that is another story.

Descartes and Montaigne represent opposite poles, but they are opposite poles of the same new beginning. A fresh start was necessary after the discovery of the New World and the catastrophes of the Old—which Montaigne

witnessed and in which Descartes, a volunteer soldier in the Battle of White Mountain, participated. That which was deadened, useless, but still conspicuous and unforgettable in Descartes' system continued on in Montaigne's *Essays*. By the end of the eighteenth century, those elements had crystallized into a binding worldview.[33] For Niklas Luhmann, this worldview was best characterized as one that saw unity in the manifold. The individual is

> the world, seen from a point, realized in himself and thus accessible to others. Grounded in this idea is the fact that [the individual] can realize himself only in the realm of freedom, otherwise he would be neither automatically represented nor unique.... [T]he individual is expected to identify himself through reference to his individuality, which can only mean: through reference to that which differentiates him from everyone else. Self-observation and self-description can no longer hew to social positions, memberships, or inclusions. The individual is expected to refer back to his individuality through self-observation and self-description. That means not least: to understand himself in a way that is suited for life and commerce in plural, nonintegratable contexts. His only vis-à-vis, his only correlate of identity, is the world.[34]

The constitution of this world assumed a different sort of importance in the transition from premodernity to modernity. The premodern individual appeared in the mode of inclusion—the smallest unity of an assumed whole (polis, family, estate). The modern individual appears in the mode of exclusion. "The society," Luhmann writes, "no longer provides the individual a place where he can exist as 'social being.' He can only live outside society; he can only reproduce himself in the world around society as a system of his own."[35] Montaigne's self-confinement at his family's estate came from his need to find his own space of experience in a society where the switch to functional differentiation had not yet taken place and where no other options existed. The individual can no more experience the whole than he can represent it; his only possibility for gaining access to the world is to assert his own difference. Later, once functional differentiation had established itself, the individual's assertion of his own difference yielded possibilities for partial inclusion. Luhmann explains:

> When ... individuality is conceived from the outset as extrasocial, the differentiation of the societal system relies on different forms of individual inclusion (as voters, as patients, as readers, as art lovers). The problem lies in the participation of already individualized individuals. For that, different possibilities must be developed within the individual's respective functional area.[36]

Eventually, Montaigne emerged from his seclusion. After he realized he was not needed as an individual but as a capable individual, he entered politics and became a successful functionary as mayor of Bordeaux. Neither Bordeaux nor Paris (where the *Essays* were published) nor politics represented the world as a whole.

In modernity, access to the world begins with the individual. This form of access delegitimizes all practices that seek to monopolize individuals in their entirety or forcefully include them in the whole. The possessor of individuality is the bearer of antitotalitarian feeling, be it toward religious politics or political religion. Society cannot demand that people finish their pudding when it has none to offer. Dramatic gestures demonstrating one's membership in the whole—the public confession at the auto-da-fé, the burning at the stake to purge the soul, self-incrimination by torture, and so on—lost their claim to legality and degenerated into objects of revulsion and disgust. As in later totalitarian systems, premodernity's destruction of the individual implied that the individual was not essential for the whole.[37] For modernity, the destruction of the individual is the destruction of a unique way of accessing the world, and hence itself the destruction of a unique world. Coercion through physical torment also destroys a possible world—namely, the best possible—and gives us instead one that is possible only in the possibility of an individualized multiplicity. The real catastrophe of the Lisbon earthquake was not the metaphysical one, but the thousandfold individual one. This is why the advent of modern individuality brought with it a protest against death itself. That such protest is in vain does not make it ridiculous. Montaigne knew this and devoted a considerable part of his *Essays* to the topic. Coming to terms with death's unavoidability is an individual concern, but the protest against cruelty and violence is a concern of all individuals. It begins with an awareness of others' suffering:

> I feel a most tender compassion for the afflictions of others and would readily weep from fellow-feeling—if, that is, I knew how to weep at anything at all. Nothing tempts my tears like tears.[38]

And it continues as a protest against violence:

> I live in a season when unbelievable examples of this vice of cruelty flourish because of the licence of our civil wars; you can find nothing in ancient history more extreme than what we witness every day. But that has by no means broken me in. If I had not seen it I could hardly have made myself believe that you could find souls so monstrous that they would commit murder for the sheer fun of it; would hack at

another man's limbs and lop them off and would cudgel their brains to invent un-usual tortures and new forms [of] murder, not from hatred or for gain but for the one sole purpose of enjoying the pleasant spectacle of the pitiful gestures and twitchings of a man dying in agony, while hearing his screams and groans. For there you have the farthest point that cruelty can reach: "That man should kill man not in anger or in fear but merely for the spectacle."[39]

As the idea of the whole lost its force, so too did the protection it offered.[40] The modern individual is naked. The pain inflicted on him not only makes him who he is; it also symbolizes his forsakenness. The torturer at the Argentinean prison who uttered, "We are everything for you.... We are God," told his victims what their body already knew—all was lost—and in this aphorism of total domination gave voice to a modern notion of God. *The use of the first-person singular in modernity reflects a fundamentally altered view of violence, not only with regard to what forms of violence are permitted, prohibited, and mandated, but also with regard to the phenomenon of violence itself.* This new perspective depends on the possibility of identifying with the other as an other. Indeed, modern individuality transforms *every* other into *an* other. The affinity to the other lies in his difference, *not* in his sameness, that is, *not* in his belonging to the same social, political, or religious whole. By making the social neighbor into an other, modern individuality makes the social other into a neighbor. The bond that connects one individual to every other is membership in the human race. But what constitutes membership in the human race when shared notions of belief, love, and hope—everything that makes possible closeness and identification with others—are no longer available? The answer is the body and its vulnerability to suffering. I do not know what it means when the other speaks of happiness, or even of sorrow, but I do know what it means when the other cries out in pain. "Savages do not upset me so much by roasting and eating the bodies of the dead as those persecutors do who torture the bodies of the living," writes Montaigne in the *Essays*.[41] The history of colonialism shows that whenever a person's membership in humanity is contested, one attributes to him a reduced capacity for suffering. The idea that we are all equal before God did not delegitimize torture, the commandment to love thy neighbor as thyself notwithstanding. What *did* delegitimize torture was the idea that we are all equal before pain. In modernity the scandal is no longer the suffering of God but the suffering of human beings.

It was during the latter half of the eighteenth century that the possibility of suffering came to constitute the individual's membership in the human race. In 1775 Wieland published the novel *Die Geschichte des weisen Danischmend*

(The History of the Wise Danishmend). It begins with an anecdote whose light-handed style belies its somber character:

> Shah Gebal, a sultan known through benevolent and malevolent rumors, had, in additional to some irrelevant attributes, the weakness—as his detractors called it—that he was unable to remain angry at people once he had grown found of them. True, in the moment when one displeased him—which occurred readily—he threatened to give the unlucky person two or three hundred lashes to the soles. But ever since Sultan Nurmahal received from him the order that such punishments were to be executed only in his presence, there was never an instance in which he permitted more than ten licks. On such occasions he would let his brothers' wives pay him generous compliments for his leniency. The actual truth to the matter was that he, despite his rule as sultan, could not help but feel an unpleasant twitch in his nerves with every lash. "I am a person, too," you may think. But this was not it. Poor Shah Gebal! You were sultan too much and too long to produce such a thought. But nature—nature!—goes about its work without a look at the person, in the monarch as well as in the beggar. The quivering nerve at the sight of a person's suffering betrays the supposed demigod. He recalls that he has feet too. To forget again as quickly as possible, he exercises one of his royal privileges and cries, "Spare him!"[42]

The sultan has not yet arrived at the idea of humanity, as can only be expected, but he is on the tried and true path. *The ideal of mutual concern inherent in the idea of humanity provides conceptual compensation for the defenselessness of the modern individual. It is an idealization of practices in modernity that build social trust by their omissions. Specifically, these practices forgo claims to, and by way of, the whole, as well as demonstrate the abstinence of violence on the individual level.* In modernity mutual concern is the form in which the whole presents itself. It is the idea of the golden rule: do unto others as you would have them do unto you. It is no accident that it is often formulated as a negative demand. For Schopenhauer, "neminem laede" (injure no one) comes before "omnes quantum potes, juva" (help everyone as much as you can).[43] Though often treated as an unquestionable universal, the demand to refrain from injuring others is neither a warrior virtue nor a feudal virtue; it is a thoroughly modern virtue. And without this belief in reciprocal nonviolence irrespective of strength, there would be no trust within modernity and no trust in modernity. This is why Montaigne defines justice as forgoing cruelty, something "we owe … to men."[44] De Sade negatively confirms this foundation of modern trust by provoking it. Were it not for society's aversion to cruelty, de Sade would be unable to play the philosophical heretic. Instead—alas—he is read again and again.

DISGUST

"Those darling by-gone times, Mr. Carker," said Cleopatra, "with their delicious fortresses, and their dear old dungeons, and their delightful places of torture, and their romantic vengeances, and their picturesque assaults and sieges, and everything that makes life truly charming! How dreadfully we have degenerated!"

"Yes, we have fallen off deplorably," said Mr. Carker.

—CHARLES DICKENS, *DOMBEY AND SON*

The picture that Michel Foucault chose to allegorize modern body politics is a tree being bent back to straightness. Kant said that we are made of crooked timber, and believed there was little one could do to change it. In *Robinson the Younger*, Joachim Heinrich Campe, a contemporary of Kant's, reimagines Robinson Crusoe's island as a cultural finishing school designed "to sow the seeds of virtue, piety and resignation in the ways of Divine Providence, into the minds of children."[45] Max Weber speaks of "steel housing" as if modernity were Edgar Allan Poe's pit, minus the pendulum and the burning walls. Many metaphors from the distant past have been used to describe our current age. Someone "on the rack" is under great stress, while in *Faust Part One* Goethe writes:

> Logic will train your mind all right;
> Like inquisitor's boots it will squeeze you tight,
> Your thoughts will learn to creep and crawl
> And never lose their way at all.
> (*FAUST PART ONE*, 1912–15)

"Inquisitor's boots" is not a reference to snug footwear but to an instrument of torture. The device consisted of two pieces of wood that were fit around the calf and shin, and which were tightened with screws or wedges, first squashing muscle and then breaking bone. The permanent damage left by the device ensured the delinquent would tread more carefully in the future.

Goethe knew what he was talking about. Gretchen's madness in prison expressed less a general state than a concrete symptom. She was not only accused of murdering her child and mother; the potion that killed her mother implicated her in witchcraft. The chorus in Goethe's original version of the Walpurgis Night sequence speaks of a "gray- and black-robed brotherhood," an allusion to the habits worn by Franciscan and Dominican friars. These were the monks traditionally in charge of torturing witches, and their appearance in this scene

implies that Gretchen suffered at their hands.[46] Hence, when in the published version of *Faust* Mephistopheles says, "She is not the first!," he means more than a woman with a child out of wedlock. Faust's response, "Hound! Execrable monster!," may seem like an overreaction—what else is the devil supposed to say?—but the contempt must be seen in its historical context: Gretchen was not the first woman to be tortured as a witch, and she would not be the last. In some areas of Europe, isolated cases of witch persecution occurred well into the nineteenth century.

This is not to suggest that *Faust* was written primarily to protest the trial of witches. Goethe was too late for that, though the topic was not exactly old news. In 1750 Count von Warthausen, the chancellor of the Electorate of Mainz and at whose castle Wieland translated Shakespeare, ordered the release of two women who had been imprisoned on suspicion of witchcraft.[47]

No one knows how many women—or how many men—lost their lives as a result of the European witch hunt.[48] But more significant than absolute figures are the regional statistics. Russia, Portugal, Ireland, and Spain had few to no outbreaks, whereas in other countries victims made up a meaningful share of the total population: 1.5 percent in Germany, 1.75 percent in Denmark, 3 percent in Poland and Lithuania, and 4 percent in Switzerland.[49] Denunciation played a key role in the death toll. Encouraged by local conditions or the threat of torture, people regularly accused others of witchcraft, leading to persecutions in which dozens, sometimes hundreds, perished. In a single three-year period, there were nine hundred deaths in the bishopric of Wurzburg alone.[50]

The violence of this era went beyond the witch hunt, of course. As the German historian Richard van Dülman notes, "there was hardly anyone who had not witnessed an execution at least once in his or her life."[51] In *The Wheels of Commerce* Fernand Braudel writes that "[t]he gibbets, the corpses dangling from trees whose distant silhouettes stand out against the sky in so many old paintings, are merely a realistic detail—they were part of the landscape."[52] Braudel quotes a contemporary witness who cataloged the different forms of torture practiced in Cahors:

> In Lent of the said year 1559, the Rouerguais Caput was burned; Ramon was broken on the wheel; Arnaut was tortured with tongs; Boursquet was quartered; Forimon was hanged, Le Négut hanged near the Valandre bridge in front of Fourié's garden; Pouiot was burned near the Roque des Arcs.[53]

C. V. Wedgwood cites a 1620 report by a traveler, who, on his way from Dresden to Prague, counted

above seven score gallowses and wheels, where thieves were hanged, some fresh and some half rotten, and the carcases of murderers broken limb after limb on the wheels.[54]

Between 1536 and 1571, thirty-two people were publicly killed in Augsburg, which had designated places of execution outside and inside the city walls.[55] In some places, bodies remained on display for years.[56] A more common practice, and one that still occurred in the nineteenth century, was the sale of the blood, or even the fingers, of those executed.[57]

What established the normality of autotelic violence in public consciousness was not only the cruelty of executions. Lesser punishments involving mutilation were also standard practice: severing hands, fingers, or thumbs; ripping out the tongue; slashing or cutting off ears; poking out eyes. The title page of the Brandenburg Criminal Court Ordinance of 1516 describes the entire repertoire of punishment: the stake used for burning, the place for decapitation, the gallows, the red-hot pincers, the executioner's sword, the wheel, the pulley to hoist the victim, the thumbscrews, and so forth. A woodcut intended to inform laypeople demonstrates the proper application of the devices. Located at its center is the image of a man who has been freshly disemboweled.

The characters of *Egmont* also speak this language of torture, though by Goethe's time it had become obsolete:

> JETTER: Did you notice his dress? It was in the latest fashion, the Spanish cut.
> CARPENTER: A handsome gentleman.
> JETTER: His neck would be a real feast to the executioner.
> SOEST: Are you mad? What's got into your head?
> JETTER: Yes, it's silly enough, the thing that get[s] into one's head. It's just what I happen to feel. When I see a fine, long neck, I can't help thinking at once: that's a good one for the axe.... All these cursed executions! One can't get them out of one's mind. When the young fellows go swimming and I see a bare back, at once I remember dozens that I've seen lashed by the cat-o'-nine-tails. If I meet a really fat paunch I can already see it roast on the stake. At night in my dreams I feel pinches in all my limbs. It's simply that one can't be carefree for one hour. Every sort of pleasure or jollity is soon forgotten; but the horrible apparitions might be branded on my forehead, they never leave me alone.[58]

In *Discipline and Punish*, Michel Foucault cites a nineteenth-century contemporary who "recalls the time of his childhood as of a past age": "I have seen the ground strewn with wheels, gibbets, gallows, pillories; I have seen hideously stretched skeletons on wheels."[59]

To be sure, there are historians who will relativize the impact of these images and argue that people ate, drank, procreated, toiled away, feasted, and enjoyed life however they could as they always have. The question, though, is this: what else did they do, in which context did they do it, and what else did they have to reckon with? The horrors we are talking about are not the tourist-attraction pulp you find in the Tower of London and the London Dungeon, stuff too graphic for one's five-year-old daughter but just right for one's ten-year-old son. Chains, screws, rotting straw, and the moans of the pest-ridden did not populate everyday life. Even so, the practice that caused the appalling change in Guy Fawkes's signature before and after his arrest was not just for planners of spectacular assassination attempts. Nor was it just for other political criminals, or for those suspected of witchcraft, or for heretics.[60]

A sixteenth-century protocol from Nördlingen describing the treatment of a woman who refused to confess to witchcraft gives us an indication of what torture was really like. Between November 1592 and February 1593, the accused was tortured on twelve separate occasions. The protocol mentions thumbscrews, the Spanish boot, strappado—hoisting the victim's bounded arms behind the back until the body is suspended in the air, then weighting the feet until the arm bones dislocate at the shoulders—and the rack. On January 8, for instance, we read that the woman

> was hoisted for the fourth time, but she remained steadfast in her wickedness. She was let down and told that if she considered things carefully overnight, tomorrow would not proceed as today.

Under the January 9 entry we find this:

> After Marian Höllin was repeatedly addressed by the gentlemen, she responded as follows: Nothing, and she continued her old fantasy, and claimed she was completely pure. So she was placed on the rack, and she said she wanted to die, and that they should kill her however they wanted. She was hoisted and dropped for the eighth time, and afterward received the boot on the foot for the seventh time, and afterward was placed on the rack for the second time, yet she did not want to confess.[61]

This particular torment went under the heading "modest torture,"[62] but these forms of torture did not take place in public. Execution—torture's final, lethal stage—did, including the walk to the execution grounds and the terrible mistreatment that accompanied it. After the execution, the body was presented to the spectators and sometimes disfigured. Not every criminal trial and not

every witch trial ended with execution, however. For instance, one regional study of witch trials shows an execution rate of 86 percent in Schleswig, 77 percent in Lauenburg, and 72 percent in Lübeck.[63]

And what about those who, due to lack of evidence, or to their refusal to confess, were not executed but still tortured, as occurred regularly in witch trials and other serious crimes? How did those who narrowly escaped death continue with their lives?[64] We know of some who were able to return to their previous existence, and we can imagine the many—the crippled, the deranged—who were not. Where did they land? Was it outside city walls? (Some might have been declared unclean on account of the torture and forced to trade and eat in isolation.) At any rate, the acquitted were often made to foreswear revenge as a condition of their release. The officials were not naïve: the ones they did not kill they simply banned, and the ones who returned they threatened with summary execution. Knowledge of these practices makes one wonder whether Europe's ghost-story tradition—the tales of the undead, of wraiths in the forest, of apparitions on the moor, of ghouls in the cemetery—was rooted less in fantasy than experience. If so, the ghost story would have represented the confrontation with the uncanny par excellence—an event that, as Freud wrote, "seems to confirm the old, discarded beliefs.... [I]t is as though we were making a judgment something like this: 'So, after all, it is *true* that …'"[65]

The history of torture has been written many times before, and my intention is not to retell it here.[66] We know that in antiquity "torturability" marked the line between free men and slaves, which was also the most important class distinction of the time. (The Roman military monarchy of Augustus made this line somewhat more permeable by introducing the crime of violating majesty.) Christianity rejected torture initially, but it eventually became widespread under local codification[67] and, in a 1252 papal bull, was officially instituted as an instrument against heresy.[68] The introduction of torture also resulted from the rapid development of trans-European political infrastructures that needed a system of laws free from the variances of local tradition. Roman law was the only existing model that fulfilled this requirement, and its jurisprudence happened to include a doctrine of torture. The most important factor in torture's reappearance, however, was the papacy's decision to enforce its claim to absolute authority.[69] The spread of the Inquisition brought institutional torture to all of Europe and established the inquisitional procedure as a model of secular jurisdiction. The normal criminal as well as the suspected heretic were now subject to the same process. First they were exhorted to confess. If they did not, they were exhorted to confess again, but this time they were presented with the instruments of torture and familiarized with their application. If they still did not confess, they were tortured in increasing degrees of severity: the

first stage involved crushing the fingers, the hands, the feet, and the legs; the second involved dislocating the joints; the third involved whipping and scorching in combination with the previous techniques.

The torture procedure was more or less standardized, but in the case of the witch trial there were repeated attempts to expand its arbitrariness.[70] Franz Helbing and Max Bauer cite an early-seventeenth-century source who states that "there are more ways of torture than limbs on a human body.... Often, all find application in the same person." Specifically, the source speaks of "burning the entire body, roasting alive in the brazen bull,[71] pouring great quantities of urine in the mouth of the criminal; sleep deprivation ... the stings of bees and wasps; the pouring of vinegar, salt, and pepper on wounds; applying sulfur to the nose."[72] Aversion to these forms of violence is part of the cultural transformation that produced modernity, and criticism of the witch trials was its main form of expression.[73]

The abolition of torture took place mostly in the second half of the eighteenth century and the first half of the nineteenth. Some notable examples: Prussia (1754), Baden (1767), Mecklenburg (1769), Braunschweig (1770), Denmark (1770), Austria (1776), France (1789), Russia (1801), Bavaria (1809), Württemberg (1809), Hanover (1822), Sachsen-Coburg-Gotha (1828), Zurich (1831), Schwyz (1848), Naples (1851), and Zug (1869). Traditionally, the eradication of torture has been regarded as an achievement of the Enlightenment, and the example of Frederick II of Prussia, who played a pioneering role on the Continent, lends support to this view. But well before the eighteenth century and its succession of prohibitions at the local level, torture had begun to elicit revulsion. Shakespeare gave voice to that revulsion in *Richard III* and *King Lear*,[74] and it led England to expressly prohibit torture in 1689. In German-speaking countries, a significant decrease in torture and in the cruelest forms of execution (burning at the stake, boiling in hot oil, burning alive, breaking on the wheel) came in the middle of the seventeenth century, soon after the end of the Thirty Years' War. As van Dülman observes: "Even before the Enlightenment discredited the old system as barbaric and unjust, some things had already changed. This was the result of the shifting function of execution rituals. Since state authority and control had been fortified, severe punishments were no longer as necessary and were hence carried out less frequently."[75] Van Dülman explains this "'humanization' independent of ... Enlightenment thinkers" by way of utility: the state abandoned cruelty because it was no longer useful. This explanation is based on the assumption that, all other things being equal, people would rather be less cruel than more. Yet this assumption reflects a shift in attitude that took place only after the modernization process began. It is the *result* of a new attitude toward cruelty, not the *condition* of a new

attitude toward cruelty. One could, of course, point to the example of Frederick II of Prussia, who initially suspended the practice of torture and, when he saw no more practical reason for its existence, abolished it completely. But this view assumes that Frederick II, the Enlightenment thinker, rejected torture *because it had ceased to be instrumental.* The truth is that he rejected torture because, as a traditional means of rule, it had come to repulse him.

Dülmen calls the penal customs of the early modern period a "theater of horrors." Michel Foucault speaks of a "liturgy of punishment" in which

> there must be an emphatic affirmation of power and of its intrinsic superiority. And this superiority is not simply that of right, but that of the physical strength of the sovereign beating down upon the body of his adversary.... A body effaced, reduced to dust and thrown to the winds, a body destroyed piece by piece by the infinite power of the sovereign constituted not only the ideal, but the real limit of punishment.[76]

Foucault overlooks the fact that there is a difference between torture and execution, that torture did not always involve arbitrary excess, and that rules for public execution existed and were followed, often with meticulous care. But he is right insofar as he makes it clear that the surface of the individual body under premodern rule had a different sense from that under modern rule. In the premodern era, a prohibition on autotelic violence would have been a foreign concept. "Nothing is crueler than torture," wrote Frederick II, and in doing so gave voice to an idea that was as new as it was self-evident.[77]

Besides Montaigne's *Essays*, one of the most important critiques of cruelty in early modernity was *Cautio Criminalis* (1631), by the German Jesuit Friedrich von Spee. The book is based on Spee's experience as confessor to women suspected of witchcraft, and it attributes the frequency of prosecution not to the frequency of witchcraft but to the means used to extract its confession.[78] "The tortures customary everywhere," Spee writes,

> are by their very nature great and cause grievous suffering beyond measure. However, it is the nature of the greatest suffering that we do not fear meeting even death itself in order to avoid it.... It is even true that the toughest men who were strung up in torture for the most serious crimes have solemnly affirmed to me that they could think of no crime so great that they would not immediately admit to it if their confession would free them for just a moment from such agony. Indeed before they would allow themselves to be led back in to torture, they would prefer to skip sure-footedly into ten deaths.[79]

Spee notes that those who denounce the innocent to avoid further torture stick with their lies even when warned by priests that it will cost them their salva-

tion. "[I]f torture for many people is so grave and intolerable that they would rather be damned than tortured, then one cannot prudently deny what we have said."[80] He concludes in the first-person singular: "I confess that I myself could offer so little resistance to such punishment that if I were brought in to be interrogated I would not hesitate right at the beginning to declare myself guilty of any witchcraft whatsoever and embrace death rather than such torments."[81] Like Montaigne, Spee declares "I," but his use of the first-person singular would have been for naught had there not been a public to join him in saying "we."

The effect of Spee's work has been disputed, yet it remains an important testament to the reorientation of Central Europe's relationship to violence. Spee's directed the reader to the self—to the fact that he or she, like Wieland's Shah Gebal, "has feet too"—and to the dungeon, where people have feet, too, except theirs are disfigured. He portrayed the women not as public menaces and obdurate brides of Satan but as people in pain whose suffering was so great as to blur the distinction between the innocent and the guilty. In this light, the inquisitor's question—who says that a single innocent man has suffered?—became indecent. The point of *Cautio Criminalis* was not to elicit compassion but to bring out the very quality that makes it possible: shared humanity. This quality formed a bond between Spee's readers and the women tortured, creating a *we* in which torture would soon become unthinkable.

Writings like Montaigne's and Spee's helped usher in a new climate of justice.[82] By 1648 the idea that executions were fitting opportunities for public amusement had became repulsive. The disgust extended beyond excessive displays of violence, as in the execution of Robert-François Damiens, who was slowly drawn and quartered for attempting to assassinate Louis XV.[83] Public executions, once attracting up to twenty thousand spectators, became less cruel and less frequent generally, and women and children were prevented from watching.[84] Eventually, executions vanished from the public sphere, and prison sentences became more common.[85]

Another example of this transformation is an incident that took place in Paris on August 3, 1788. A man whose guilt was not in doubt had been sentenced to death on the wheel. Though the wheel had been a common part of executions for centuries, the public believed the sentence too severe. When the day of execution came, enraged crowds gathered in the streets, and before the executioner could carry out his orders, the public stormed the platform and freed the prisoner. The executioner, Charles Henri Sanson, thought his end had come, but a tall smith reassured him:

> "Fear nothing, Charlot," he cried. "We don't want to harm you, but your tools. Henceforth, Charlot, you must kill your customers without making them suffer."

After the smith made his demand—that the executioner reject autotelic violence in favor of its locative form—the public erupted in celebration:

> In less time than it takes to write this account the scaffold and all its accessories were broken into pieces, which were thrown on the pile prepared for the burning of the prisoner's body; and the terrible wheel was placed on the summit as a kind of crown. Fire was set to the heap, and men and women, holding each other by the hand, formed an immense ring and danced around the crackling pile until it was reduced to ashes. The joy spread like electric sparks from one person to the other, so that the square and the streets leading up to it soon resounded with overwhelming shouts and cheers.[86]

Again, this was 1788. By the nineteenth century, states were working to end the practice of public execution and had come to regard even the sight of execution grounds with disgust and shame. In 1808 the police chief of Landshut wrote to his superiors in Munich that "the ill-starred times of terrorism are over, but their misshapen monuments, gallows and scaffolds still insult the bright eye of the wanderer and carry his mind involuntarily back to the days when the hangman was one of the state's busiest servants."[87]

Even so, the protagonists of German literary classics came of age in proximity to the scaffold and the wheel. In Karl Philipp Moritz's *Andreas Hartknopf* (1785) we read:

> When Hartknopf awoke the next morning, a small window in the chamber was open. Through it, he could see a hill in the distance on which the place of execution at Gelnhausen stood.
>
> The hill afforded a most delightful view of the surrounding area. It was as if one wanted to doubly punish the criminal who found his end there: displaying to him earth's glory right before he had to leave it in good health.
>
> Hartknopf had often played on the hill under the gallows.... [There] he first saw the beauty of God's world, and he often asked his father about the gateway in the open air [i.e., the scaffold] and why tatters and blackened bones hung from it....
>
> These impressions were so deep in him that whenever he saw a gallows he automatically thought of a delightful landscape, and whenever he saw a delightful landscape he automatically thought of a gallows.
>
> As he beheld the same gallows to which all his sweet childhood memories were attached, he was suddenly filled with an ineffable wistfulness—what was once in bloom was starting to wither, and what had already withered was now no more.[88]

In Proust, of course, it is the madeleine, not the scaffold, that elicits childhood memory.

Hartknopf's recollections may be grim but they are nothing compared with earlier excesses. The same can be said about eighteenth-century warfare. The Silesian Wars (which occurred during Lessing's lifetime) and the Seven Years' War (which occurred during Goethe's) were indeed very bloody (over one million people died in the former alone). But when Prussia threatened a town in Saxony with incineration because of its failure to pay contributions, no one took the threat seriously, and the townsfolk removed the pitch-wreathes the Prussians had erected in the entrances. Things turned out very differently for Magdeburg in 1630, when soldiers from the Holy Roman Empire sacked the city and set fire to its buildings, killing around twenty thousand people, or two-thirds of the inhabitants. Things also turned out very differently for Augsburg in 1634. "Even today," writes the historian Bernd Roeck,

> studying the reports made by Bavarian officials about the devastation requires a strong set of nerves.... [W]e read about the peasant whose father was shot and whose mother was burnt alive in an oven; the nine-year-old boy hung in a village near Friedberg; the woman whose breasts were cut off because she refused to have sex with soldiers. In one village, only the church and three of the original 27 structures—five farms and 22 houses—were left standing.[89]

Here is Wedgwood's description of the last phase of the Thirty Years' War:

> [T]he circumstances were certainly not easy, for on both sides theoretical strategy had become useless. The provision of food in an exhausted country was the guiding consideration in warfare.... Great bodies of troops, on either side, would take possession of a district and remain static from seed time until harvest.[90]

There is no need to go into detail about the havoc and starvation troops on both sides caused. It suffices to note that at some point people began guarding cemeteries to prevent the cannibalism of the dead. Nothing comparable would occur again in Europe until the German Wehrmacht invaded the Soviet Union.

After the Thirty Years' War, states began to restrict the scope of war by confining conflict to the battlefield and giving soldiers uniforms and barracks to distinguish them from the civilian population. Armies still seized enemy territory, but, as Goethe's report on the French occupation of Frankfurt documents, the terms could be thoroughly civil:

> [O]n the 2nd of January, after a column had proceeded across the bridge from Sachsenhausen through Passage Lane up to the constabulary, it halted, overpowered the

little commando conducting it through, took possession of that station, marched down the Row, and forced the main station to surrender too, after a slight resistance. In the twinkling of an eye these peaceful streets were transformed into a theater of war. The troops remained and bivouacked in them until accommodations could be arranged for them through regular billeting.

This unexpected burden, one they had been free of for many years, was a dreadful affliction for the complacent townspeople, but no one could have felt its inconvenience more than my father, who was expected to take foreign military occupants into his scarcely completed house, to grant them possession of his elegant, normally closed reception rooms, and to yield to this discretion of strangers something he was used to having under his precise rule and control. He, the Prussian sympathizer, was to be besieged by Frenchmen in his own four walls! To his way of thinking, it was the saddest thing that could have happened to him. Had he been able to take the matter more lightly, however—seeing that he spoke French well and had dignified and charming manners in company—he might have saved himself and us many a troubled hour, for they billeted the king's lieutenant with us, and he, although a military personage, was only charged with the arbitration of civil disputes, such as conflicts between townspeople and soldiers, debt collections, and lawsuits.[91]

The lieutenant in question was François de Théas Comte de Thoranc. His stay at Goethe's home

boded well for the houseowner. Their conversation concerned the various rooms, some of which were to be given up, others to remain with the family, and when the count heard a room full of paintings mentioned he immediately, although it was nighttime, asked permission to see the pictures, at least cursorily by candlelight. He was more than pleased with them, and treated my father, who was accompanying him, with the greatest courtesy. When he heard that most of the painters were still alive and residing in and around Frankfurt, he declared that it was his dearest wish to meet them very soon and set them to work.[92]

The art-loving count behaved impeccably. "He would not even have his maps nailed to the walls, for fear of ruining the new wallpaper," Goethe writes. His courtesy had its limits, though. When news of a French victory prompted Goethe's father to tell the count to go to hell, even though the victory had spared Frankfurt certain devastation, Thoranc became furious and ordered his arrest. The house interpreter, who was also Goethe's cousin, tried to persuade the count to reconsider. He initially resisted: "This houseowner of yours, what does he want? A fireball would probably be bursting into these rooms, immediately followed by another—into these rooms with that confounded Peking wallpaper I have spared."[93] But just after insisting on the importance of duty

and honor, the count unexpectedly relented. "We have already wasted too many words," he told the interpreter. "Now begone—and get your thanks from those ingrates I am sparing!"[94]

SHAKESPEARE AND THE DAWNING AWARENESS OF VIOLENCE AS WRONG

> Bad is the world.
> —WILLIAM SHAKESPEARE, *RICHARD III* (III.6.13)

Karl Kraus claimed that Shakespeare had foreknowledge of everything; Harold Bloom argued that Shakespeare invented the human.[95] Such assertions may seem to express nothing more than adoration, but they are also in keeping with the fundamentally flawed and mannered tradition that attempts to reduce the genius to his times. This is the American story line of "the right man at the right time in the right place," and the tale of the "dead white male," besides. Nevertheless, as a matter of pure description this tradition has it right. Genius does not manifest in timelessness but in lasting and measurable contribution to the history of human experience. Shakespeare's time was less a time than a field of tension, a period of instability at the threshold between the archaic and the contemporary, between the Renaissance and the modern era.

■ ■ ■

Friedrich Dürrenmatt adapted two of Shakespeare's plays, *King John* and *Titus Andronicus*. Dürrenmatt's *Titus Andronicus* begins:

> SATURNIUS: Patricians
> Defend the justice of my cause with arms.
> I am the first-born son of the emperor
> And let my father's honours live in me.
> Choose me, and if my brother Bassianus
> Is chosen, then slaughter this ample pig forthwith.[96]

The original reads:

> SATURNIUS: Noble patricians, patrons of my right,
> Defend the justice of my cause with arms.
> And countrymen, my loving followers,
> Plead my successive title with your swords.
> I am his first-born son that was the last

That wore the imperial diadem of Rome:
Then let my father's honours live in me,
Nor wrong mine age with this indignity.
    (1.1.1–8)

The times of rakish lads, of men too old to be considered young, when a saucy tone was in style and dignifying a flower meant plucking it, linger on in Dürrenmatt's adaptation, much to our detriment. Yet Dürrenmatt's dramatic structure still affords a certain pleasure. His *Titus* is less an illuminating adaptation than an expression of the stupefaction that strikes modern readers of Shakespeare's text. Jan Kott explains:

> If *Titus Andronicus* had six acts, Shakespeare would have had to take the spectators sitting in the first row of the stalls and let them die in agony, because on the stage no one, except Lucius, remains alive. Even before the curtain rose on the first act, twenty-two sons of Titus had died already. And so it goes on all the time, until the general slaughter at the end of act V. Thirty-five people die in this play not counting soldiers, servants and characters of no importance. At least ten major murders are committed in view of the audience. And most ingenious murders they are. Titus has an arm chopped off; Lavinia has her tongue and hands cut off; the nurse gets strangled. On top of that we have rape, cannibalism and torture. Compared with this Renaissance drama, the "black" American literature of our day may seem a sweet idyll.[97]

The literary critic Rolf Vollmann offers the following summary:

> Titus Andronicus … a foolish Roman general, who brings each of his sons into battle as soon as they are old enough to hold a sword, and as a result brings back twenty of them dead. He loses his twenty-first son in another victorious maneuver against the Goths. The four remaining sons must avenge this death by killing the eldest son of [Tamora], the captured Queen of the Goths. [Titus] stabs to death his twenty-second son when he tries to prevent the newly-crowned emperor, whom Titus favors, from marrying his sister [Lavinia], who is already betrothed to the emperor's brother. When the twenty-third and twenty-fourth son are implicated in a plot to kill the sister's fiancé, [Titus] sides once again with the purported authority of the emperor and merely pleads for their lives. After they are killed his daughter is … violated and disfigured by the sons of Tamora [whom the emperor has now married], and Titus's soul is shaken. During a touching moment with his daughter, he … schemes his revenge. He … sets his plan in motion … killing [Tamora's] sons. Finally, he stabs to death Tamora and his own daughter in front of the emperor. In

response, the emperor stabs Titus to death, while the emperor is killed in turn by Titus's twenty-fifth son, who thereafter becomes emperor.[98]

Titus Andronicus is an early work, probably written between 1593 and 1594, possibly before.[99] Though initially quite popular, within twenty years the play and the manner in which it was written had fallen out of style.[100] A revised version from 1687 omitted some of the violent scenes and denied Shakespeare's authorship. In the nineteenth century, the original was staged just three times. Its first success on the modern stage did not come until Peter Brook's 1955 Stratford production with Laurence Olivier. Kott thought the play was "childish" and "ridiculous" compared with Shakespeare's other works but called Brook's production "moving" nevertheless.[101]

Kott accounts for his ambivalence by pointing out that *Titus Andronicus* was a Shakespearean play but not a Shakespearean text—though this leaves us wondering how such a text could have appeared after *Richard III*. Bloom, offering a more plausible explanation, attributes the un-Shakespearean aspects of *Titus* to a parody of popular theater.

> The young Shakespeare delighted himself, and his contemporary audiences, by both mocking and exploiting Marlowe in *Titus Andronicus*. "If they want bombast and gore, then they shall have it!" seems the inner impulse that activates this bloodbath, the Shakespearean equivalent of what we now respond to in Stephen King and in much cinema.… If you read the play as authentic tragedy, then you confirm Dr. Johnson's disapproval: "The barbarity of the spectacles, and the general massacre which are here exhibited, can scarcely be conceived tolerable to any audience."[102]

The German translation of *Titus Andronicus*, the first German translation of a Shakespeare play, appeared in 1620, in the middle of the Thirty Years' War; the Dutch edition was published in 1641, seven years before the Peace of Westphalia. These dates are no accident: the play portrays the world as a relentless series of murders, tortures, and rapes. Though Kott agrees with Brook that *Titus Andronicus* contains the later Shakespeare in embryonic form, he has reservations about its merit:

> No doubt Titus's sufferings foretell the hell through which Lear will walk. As for Lucius, had he—instead of going to the camp of the Goths—gone to the university at Wittenberg, he would surely have returned as a Hamlet. Tamora, the queen of the Goths, would be akin to Lady Macbeth, had she wished to look inside her own soul. She lacks the awareness of crime, just as Lavinia lacks the awareness of suffering that plunged Ophelia into her madness.[103]

Kott's last remark is intriguing. Consider the scene in which Tamora's sons abduct Lavinia:

> LAVINIA: 'Tis present death I beg, and one thing more
> That womanhood denies my tongue to tell.
> O, keep me from their worse-than-killing lust,
> And tumble me into some loathsome pit
> Where never man's eye may behold my body.
> Do this, and be a charitable murderer.
> TAMORA: So should I rob my sweet sons of their fee.
> No, let them satisfy their lust on thee.
> DEMETRIUS: [*to Lavinia*]
> Away, for thou hast stayed us here too long.
> LAVINIA: No grace? No womanhood? Ah, beastly creature,
> The blot and enemy to our general name,
> Confusion fall—
> CHIRON: Nay then, I'll stop your mouth.
> [*Grabs her, covering her mouth.*]
> .   .   .   .
> TAMORA: Farewell, my sons; see that you make her sure.
> .   .   .   .
> Now will I hence to seek my lovely Moor,
> And let my spleenful sons this trull deflower.
>   [II.2.173–91]

The moment could not be more dramatic: a rape preceded by an exchange of words between women. Lavinia appeals to Tamora's sense of female solidarity, or perhaps only to her empathy, but in any case Tamora remains very much the hero's mother. "Should I begrudge my sons a pleasure?" she asks, at which point those very sons proceed to rape Lavinia and cut out her tongue. Lavinia's bloody silence expresses the horror of the deed better than Shakespeare's own language can. The words spoken by Marcus as he beholds the mutilated Lavinia have nothing of the forceful metaphorics that will later fill the gap between the effable and the ineffable in Shakespeare's dramas. *Titus Andronicus* offers nothing but frilly chitchat:

> MARCUS: Why dost not speak to me?
> Alas, a crimson river of warm blood,
> Like to a bubbling fountain stirred with wind,

Doth rise and fall between thy rosed lips,
Coming and going with thy honey breath.
    (ii.3.21–25)

Compare this with a passage from *Julius Caesar*:

Antony: … Look, in this place ran Cassius' dagger through:
See what a rent the envious Caska made:
Through this, the well-beloved Brutus stabbed,
And as he plucked his cursed steel away,
Mark how the blood of Caesar followed it,
As rushing out of doors to be resolved
If Brutus so unkindly knocked or no;
For Brutus, as you know, was Caesar's angel.
    (iii.2.172–79)

These images—the blood from a gash equated with a host who runs to the door at the sound of an impatient knock; a knife wound allegorized as a door to the body; a dagger likened to a guest seeking entry—are so outrageously inappropriate that they help awaken the listeners' sense of outrage at the murder, representing the slaying more graphically than any prose account ever could. Antony exhibits the mantle and its bloody tear, describes the fatal slashes, and, when he arrives at Brutus's role, switches into slow motion, tracing the knife as it penetrates the flesh and exits the body with a stream of blood, and recounting Caesar's horror upon registering his close friend's involvement: "[W]hen the noble Caesar saw him stab … then burst his mighty heart …" (III.2.184).

In *Julius Caesar*, murder disrupts the world order. In *Titus Andronicus*, Marcus's florid, well-honed rhetoric confirms that murder is part of the system. People plea for their lives or for a quick death, then are raped and mutilated and tortured to death for all that. They suffer and scream and sob, as do those who love them, while the others just shrug. It's horrible, but what can you do? One scene in *Titus Andronicus*, though, intimates something more than the monotony of the slaughterhouse. Here we discover, in addition to the ten prominent deaths identified by Jan Kott, an eleventh, that of a fly:

Titus: … What dost thous strike at, Marcus, with thy knife?
Marcus: At that that I have killed, my lord—a fly.
Titus: Out on thee, murderer. Thou kill'st my heart.
Mine eyes are cloyed with view of tyranny;

A deed of death done on the innocent
Becomes not Titus' brother. Get thee gone;
I see thou art not for my company.
Marcus: Alas, my lord, I have but killed a fly.
Titus: "But"?
How if that fly had a father and a mother?
How would he hang his slender gilded wings
And buzz lamenting doings in the air.
Poor harmless fly,
That with his pretty buzzing melody
Came here to make us merry, and thou has killed him.
Marcus: Pardon me, sir, it was a black ill-favoured fly,
Like to the empress' Moor. Therefore I killed him.
Titus: Oh, oh, oh!
Then pardon me for reprehending thee,
For thou hast done a charitable deed.
Give me thy knife; I will insult on him,
Flattering myself as if it were the Moor
Come hither purposely to poison me.
[*Takes knife and strikes*.]
There's for thyself, and that's for Tamora.
Ah, sirrah!
Yet I think we are not brought so low
But that between us we can kill a fly
That comes in likeness of a coal-black Moor.
Marcus: Alas, poor man! Grief has so wrought on him
He takes false shadows for true substances.
   (III.2.53–81)

Titus is shaken because of what has happened to Lavinia, and this temporary
state knocks loose something that might be called humanity were the word not
so grotesquely out of place with the rest of his character. Titus's grief at the
death of a fly opens his eyes to his atrocious deeds, which till now he has com-
mitted without a flinch.[104] And once his eyes are open, once he ceases to see
death as something that ought to be spared just him and those he loves, once
death stops being something he can impose on others at will, he discovers
beauty in the world: the sound of an insect in flight, the delicacy and color of
its wings. Measured against everything else in the play, Titus's response is utter
madness. Only after Marcus shakes his heads and states the diagnosis in so many
words does Titus snap out of it. By the time Titus begins to stab at the fly as if it

were Tamora's Moorish lover, the world is right once more: he is no longer mourning death and destruction; he is imagining how to bring them about. The world of Titus has not advanced to the point where *not* killing is an option.

The bloodbath that is *Titus Andronicus* expresses an understanding between murderers and victims: *this* is how the world works. Everyone wants to be among the winners, but not a soul wishes success for anyone else. They cry out when others smite them, and they take revenge by smiting others, but at no point do they feel the pangs of conscience. The episode with the fly suggests things could be otherwise, but it also shows that the world of *Titus Andronicus* offers no room for alternatives. The situation is dramatically different in *Richard III*, a more complicated work all around. Though most believe that *Richard III* predates *Titus Andronicus*,[105] part of its significance lies in making the worldview of *Titus Andronicus* seem wholly outdated.

■ ■ ■

"Tragedies always assume … that each adversary is in the right.… Dramas have no use for monsters—that is why *Richard III* is its author's weakest work." This definition of tragic conflict is surprising when one considers that its source, the playwright Richard Hochhuth, once boasted of putting "absolute evil" on stage.[106] How many definitions of tragic conflict have been put forth over the years? When does a dramatic figure kill because he believes he is in the right, and when is he nothing more than a vicious killer? A theory of tragedy that characterizes *Richard III* as Shakespeare's weakest work might animate us to make other sorts of radical claims, but this is its only virtue. I do not want to discuss alternative notions of tragedy or the place of *Richard III* among them. I defer instead to Jan Kott, who regards the work as a masterpiece, arguing that it lays bare the mechanism that Shakespeare's other history plays exemplify. Kott cites the dialogue between Margaret and the Duchess of York in particular:

> MARGARET: … I had an Edward, till a Richard kill'd him;
> I had a husband, till a Richard kill'd him;
> Thou hadst an Edward, till a Richard kill'd him;
> Thou hadst a Richard, till a Richard kill'd him.
> DUCHESS: I had a Richard too, and thou didst kill him;
> I had a Rutland too; thou holp'st to kill him.
> . . . .
> MARGARET: … Thy Edward he is dead, that kill'd my Edward;
> Thy other Edward dead, to quit my Edward;
> young York, he is but boot.
>   (IV.3.40–45; 63–65)

The disquieting thing about this passage is the one victim too many—the "young York"—a victim who is unnecessary, a mere encore, so to speak. If we divest *Richard III* of its accoutrements, paring it down as much as Dürrenmatt did his adaptation of *Titus Andronicus*, it recalls the bare-bones advice of Machiavelli. But Shakespeare is smarter than Machiavelli, and has a better understanding of power. To regard him as an allegorist would be absurd. The figure of Richard no more personifies evil than does the hump on his back. His statement that he is "determined to prove a villain" (I.1.30) is the refusal of psychology; his assertion that he hates "the idle pleasures of these days" (I.1.31) is not a source of motivation but a reference to a system of aesthetic rules. Shakespeare presents political reality as he thinks we should see it. His intention is to exhibit the strategies for gaining power within that reality,[107] and he conceives a figure suited to the task: an unscrupulous villain whom, as with Ferdinand of Aragon, Machiavelli would have thoroughly admired. Richard seeks nothing but power and in this sense can thank his lucky stars he was not made for idle pleasures, which might have distracted him from his machinations. He knows nothing about erotic flirtation, but he does know how to seduce a woman as she stands beside the body of the husband he murdered. He can do this because what he wants from her is so far outside what she expects that she views everything as possible, even the possibility of submitting to him.

In 1987 Michael Bogdanov, the founder of the English Shakespeare Company and the later artistic director of the Deutsches Schauspielhaus, premiered *The War of the Roses*, his multiday production of Shakespearean histories dramatizing the York-Lancaster feud. Bogdanov's modern stagings would have come off flat were it not for the power of his overall idea. The actors in *Richard II* wear nineteenth-century clothing; the soldiers in *Henry V* are outfitted in uniforms from World War I; in the opening scene of *Richard III*, the party decor is in the style of the late 1920s and the ladies appear in Charleston dresses. Yet Bogdanov consistently rejected the obvious allegorical reference: his Richard was no Hitler. Instead he created a timeless ensemble with a variety of props. Richard fights with a sword and calls out for a horse in the final battle, but earlier, just after he assumes power, we see him sitting all alone in a white-leather office chair in front of a computer. Richard's isolation in this scene is a reminder of all those he slaughtered on the way to the top. By now, even his trusted henchman has abandoned him. When Richard asks Buckingham to kill the two young princes locked in the Tower of London, the man who was once so reliable hesitates, and Richard must find someone else for the job. He turns to his page for advice:

> King Richard: Know'st thou not any whom corrupting gold
> Will tempt unto a close exploit of death?

PAGE: I know a discontented gentleman,
Whose humble means match not his haughty spirit;
Gold were as good as twenty orators,
And will, no doubt, tempt him to anything.
KING RICHARD: What is his name?
PAGE: His name, my lord, is Tyrrel.
KING RICHARD: I partly know the man: go call him hither.
    (IV.2.34–41)

The page summons Tyrrel, who appears before the king:

TYRREL: James Tyrrel, and your most obedient subject.
KING RICHARD: Art thou indeed?
TYRREL: Prove me, my gracious lord.
KING RICHARD: Dar'st thou resolve to kill a friend of mine?
TYRREL: Please you; but I had rather kill two enemies.
    (IV.2.67–70)

Tyrrel is more than willing; he is clever and artfully warns the king against forsaking the rhetoric of politics for the jargon of gangsters. Richard manages to collect himself:

KING RICHARD: Why then thou hast it; two deep enemies,
Foes to my rest, and my sweet sleep's disturbers,
Are they that I would have thee deal upon.
Tyrrel, I mean those bastards in the Tower.
    (IV.2.71–74)

In the last line Richard loses the composure he just regained. He does not seek merely to secure his rule against the dynastic claims of the imprisoned princes; he wants the children strangled. His throne is both a means and an obstacle in this regard. He keeps up the royal rhetoric for two lines; then he calls a spade a spade. Toward Tyrrel, who has agreed to do whatever he is told, Richard shows a level of familiarity unbefitting a king. In Bogdanov's staging, Richard—the man with whom everyone seeks audience—leans his body forward and places his mouth close enough to Tyrrel's ear for the hired killer to feel his excited breath. Perhaps his lips touch the proffered ear; perhaps his words touch only in their effect, a blown kiss in the interest of common ground:

KING RICHARD: Thou sing'st sweet music. Hark, come hither, Tyrrel:
Go by this token. Rise, and lend thine ear.

[*He whispers in his ear.*]
There is no more but so: say it is done,
And I will love thee, and prefer thee for it.
> (IV.2.77–80)

Tyrrel refuses the gesture of intimacy and departs—"I will dispatch it straight."
He returns to describe the murder to the audience, but stops abruptly when he
hears the king approach. On seeing Tyrrel, Richard seems to sashay from the
hips. He turns down the lights and whispers into his ear:

> KING RICHARD: Kind Tyrrel, am I happy in thy news?
> TYRREL: If to have done the thing you gave in charge
> Beget your happiness, be happy then,
> For it is done.
> KING RICHARD: But didst thou see them dead?
> TYRREL: I did, my lord.
> KING RICHARD: And buried, gentle Tyrrel?
> TYRREL: The chaplain of the Tower hath buried them,
> But where, to say the truth, I do not know.
> KING RICHARD: Come to me, Tyrrel, soon at after-supper,
> When thou shalt tell the process of their death.
> Meantime, but think how I may do thee good,
> And be inheritor of thy desire.
> Farewell till then.
> TYRREL: I humbly take my leave.
> > (IV.3.24–35)

The question "Am I happy in thy news?" is more than an inquiry. Richard
wants to feel secure, embosomed. He flirts and woos ("Come to me, Tyrrel,
soon at after-supper.... [T]hink how I may do thee good...."); he is coquettish
("And buried, gentle Tyrrel?"). But this coquetry might also be the words of
a man who has learned to play it safe and cover all his bases. "But didst thou
see them dead?" he asks. Tyrrel says yes, but Richard wants to know more. Did
Tyrrel actually see them buried? Richard does not gamble, not about the little
things, at least. While he bows and scrapes before the killer ("Am I happy?";
"gentle Tyrrel"; "Think how I may ... be inheritor of thy desire"), he is also
making sure that everything has gone according to plan.

This ghastly episode—the part of the Tower of London in which the chil-
dren are believed to have been murdered is known today as the Bloody Tower—
forms an intimacy between Richard and Tyrrel, but there is also something

about it that, as with the fly scene in *Titus Andronicus*, throws new light on murderous routine. That something becomes clear as Tyrrel recounts his actions, and it suffices to explain why *Richard III* is called a tragedy:

> The tyrannous and bloody act is done;
> The most arch deed of piteous massacre
> That ever yet this land was guilty of.
> Dighton and Forrest, who I did suborn
> To do this piece of ruthless butchery—
> Albeit they were flesh'd villains, bloody dogs—
> Melted with tenderness and mild compassion,
> Wept like two children, in their deaths' sad story.
> "O thus," quoth Dighton, "lay the gentle babes";
> "Thus, thus," quoth Forrest, "girdling one another
> Within their alabaster innocent arms;
> Their lips were four red roses on a stalk,
> And in their summer beauty kiss'd each other.
> A book of prayers on their pillow lay,
> Which once," quoth Forrest, "almost chang'd my
>   mind.
> But O, the Devil—"There the villain stopp'd,
> When Dighton thus told on: "We smothered
> The most replenished sweet work of Nature,
> That from the prime creation e'er she fram'd."
> Hence both are gone with conscience and remorse
> They could not speak, and so I left them both
> To bear this tidings to the bloody King.
>   (IV.3.1–21)

The world of *Titus Andronicus* is one the German nation came to know during the Thirty Years' War (hence the success of the German translation). In *Richard III* Shakespeare fashions a Renaissance tale of power-politics for contemporary intellectuals and connoisseurs, a tale that today seems as callous as the advice of his protagonist (probably the reason Hochhuth found the character of Richard contrived). Yet in the passage above Shakespeare rearranges the Renaissance backdrop and in doing so interrupts the litany of "I had an Edward, till a Richard kill'd him." Whereas in *Titus* the scene with the fly remains under the mythic spell of the play's endless chain of murders and the cries of the victims issue from the mouth of a madman, in *Richard III* the cries of the murdered are conveyed by two hired killers who develop scruples while carrying

out a bloody deed. Tyrrel's words transform Richard from politician to murderer and in doing so prefigure what, after the sixteenth- and seventeenth-century crises in Germany, France, and England, will become one of modernity's central obsessions: the elimination of excess violence.

Richard III contains other misgivings about violence, expressed both before and after Tyrrel's soliloquy. In the first act, Richard sends two murderers to the Tower to kill his brother the Duke of Clarence, whom Edward IV, his other brother, had imprisoned during an earlier intrigue. The murderers display their warrant at the gate and are given entry to the chamber where Clarence is sleeping. They debate whether to kill him in his slumber. Will the victim think of them as cowards? How could he? He'll be dead. And God?

> FIRST MURDERER: Why, then he'll say we stabbed him sleeping.
> SECOND MURDERER: The urging of that word, "Judgement,"
> hath bred a kind of remorse in me.
> FIRST MURDERER: What, art thou afraid?
> SECOND MURDERER: Not to kill him—having a warrant—but to
> be damned for killing him, from the which no warrant
> can defend me.
> FIRST MURDERER: I thought thou hadst been resolute.
> SECOND MURDERER: So I am—to let him live.
> FIRST MURDERER: I'll back to the Duke of Gloucester, and
> tell him so.
> SECOND MURDERER: Nay, I prithee stay a little: I hope this
> passionate humour of mine will change. It was wont to
> hold me but while one tells twenty.
> FIRST MURDERER: How dost thou feel thyself now?
> SECOND MURDERER: Some certain dregs of conscience are yet
> within me.
> FIRST MURDERER: Remember our reward, when the deed's
> done.
> SECOND MURDERER: Zounds, he dies! I had forgot the reward.
> FIRST MURDERER: Where's thy conscience now?
> SECOND MURDERER: Oh, in the Duke of Gloucester's purse.
> FIRST MURDERER: When he opens his purse to give us our
> reward, thy conscience flies out?
> SECOND MURDERER: 'Tis no matter; let it go. There's few, or
> none, will entertain it.
> FIRST MURDERER: What if it come to thee again?
> SECOND MURDERER: I'll not meddle with it; it makes a man a

coward. A man cannot steal but it accuseth him; a man
cannot swear but it checks him; a man cannot lie with
his neighbour's wife but it detects him. 'Tis a
blushing, shamefaced spirit, that mutinies in a man's
bosom. It fills a man full of obstacles; it made me
once restore a purse of gold that by chance I found. It
beggars any man that keeps it; it is turned out of
towns and cities for a dangerous thing; and every
man that means to live well endeavours to trust to
himself, and live without it.

    (1.4.103–43)

They carry on like this for a bit until the first murderer feels a sting of con-
science, but they tough it out and opt for drowning Clarence in a cask of wine.
Meanwhile Clarence wakes up and, in his own defense, invokes the fifth com-
mandment. The first murderer's reply makes plain that Clarence is a murderer
himself, a perjurer as well. Clarence begs for forgiveness, compassion:

Which of you …
If two such murderers as yourselves came to you,
Would not entreat for life? Ay, you would beg,
Were you in my distress.
[to *Second Murderer*] My friend, I spy some pity in
thy looks.

    (1.4.256–62)

The murderers know no other way to extract themselves from the situation
than to kill Clarence, but they are unwilling to do it while he watches, so they
tell him to look away. After the first murderer stabs Clarence to death, the sec-
ond comments:

A bloody deed, and desperately dispatch'd.
How fain, like Pilate, would I wash my hands
Of this most grievous murder.

    (1.4.268–70)

The droll banter of conscience in prose becomes a serious matter in blank verse.
The second murderer does indeed have a conscience and is ready to forgo his
bounty; the first mocks him for it. In *Richard III* conscience is only for the sub-
ordinates. Kings have none, and Richard speaks as if he wrote the genealogy of

morals himself. Shortly before the beginning of the final battle, Richard dreams that the spirits of his victims return to curse him. He awakes lucid:

> King Richard: Have mercy, Jesu!—Soft, I did but dream.
> O coward conscience, how dost thou afflict me!
>   (v.3.179–80)

—but soon begins to drift:

> What do I fear? Myself? There's none else by;
> Richard loves Richard, that is, I and I.
> Is there a murderer here? no. Yes, I am!
> Then fly. What, from myself? Great reason why,
> lest I revenge? What, myself upon myself?
> Alack, I love myself. Wherefore? For any good
> That I myself have done unto myself?
> O no, alas, I rather hate myself
> for hateful deeds committed by myself.
> I am a villain—yet I lie, I am not!
> Fool, of thyself speak well! Fool, do not flatter.
> My conscience hath a thousand several tongues,
> And every tongue brings in a several tale,
> And every tale condemns me for a villain:
> Perjury, perjury, in the highest degree;
> Murder, stern murder, in the direst degree;
> All several sins, all us'd in each degree,
> Throng to the bar, crying all, "Guilty, guilty!"
> I shall despair. There is no creature loves me,
> And if I die, no soul will pity me—
> And wherefore should they, since that I myself
> Find in myself no pity to myself?
> Methought the souls of all that I had murder'd
> Came to my tent, and every one did threat
> Tomorrow's vengeance on the head of Richard.
>   (v.3.183–207)

Is that which speaks to Richard his conscience? Hannah Arendt believes it was, and cites this passage in her essay "Thinking and Moral Considerations." She points out that conscience has two meanings: "scrupulous regard" or "consciousness of something" (as when Hamlet says, "Thus conscience does make cowards of us all" [V.3.83]). In the case of Richard, the meanings vacillate.

He harbors no illusions about himself. He knows he is a murderer who has wreaked cruel devastation, a man who has betrayed each and all. Though he is troubled by the fact that he is unloved, not even he can find anything about himself to love. In Arendt's view, Richard knows full well his deeds have been his undoing. But that is all Richard's conscience knows. His does not spring from the internal dialogue Arendt calls thought, in which I seek to remain friends with myself and where "it is better to suffer wrong than to do wrong, because you can remain the friend of the sufferer."[108] Richard is a coldhearted killer who for a moment glimpses his own callousness and then uses that callousness to overcome his self-pity. He realizes that he is universally hated, he realizes that he is at best feared (though, ultimately, not enough), he realizes that power can only be preserved through loyalty. This is the "conscience" of which he speaks, but this conscience has nothing to do with scruples. The second murderer has them, or at least develops them, and so do the men contracted to kill the children in the Tower. What afflicts Richard is not conscience but the fear he might perish.

▪ ▪ ▪

The protagonist of *Macbeth* (generally dated 1606) is afflicted much like Richard is before the battle at Bosworth Field.[109] In the third act Macbeth receives a visit from the ghost of Banquo, a close friend he recently had killed by henchmen. The spirit, in classic ghost-story style, returns to make good on a dinner invitation Banquo received while alive. The apparition, visible only to Macbeth, appears in the banquet hall and takes a seat at the table:

> ROSSE: His absence, Sir,
> Lays blame upon his promise. Please't your Highness
> To grace us with your royal company?
> MACBETH: The table's full.
> LENOX: Here is a place reserv'd, Sir.
> MACBETH: Where?
> LENOX: Here, my good Lord. What is't that moves your Highness?
> MACBETH: Which of you have done this?
> LORDS: What my good Lord?
> MACBETH: Thou canst not say, I did it; never shake
> Thy gory locks at me.
> ROSSE: Gentlemen, rise; his Highness is not well.
> LADY MACBETH: Sit, worthy friends. My Lord is often thus,
> And hath been from his youth: pray you, keep seat;
> The fit is momentary; upon a thought
> He will again be well. If much you note him,

You shall offend him, and extend his passion;
Feed, and regard him not.
　(III.4.41–57)

Lady Macbeth calms the guests by telling them that this is normal behavior for her husband, but to him she asks, "Are you a man?" Macbeth's visions feed on his fear—a dagger appears to him the night Banquo is killed—so he attempts to prove his courage by facing the ghost, but this just makes matters worse for his wife:

O proper stuff!
This is the very painting of your fear:
This is the air-drawn dagger, which, you said,
Led you to Duncan. O! these flaws and starts
(Impostors to true fear), would well become
A woman's story at a winter's fire,
Authoris'd by her grandam. Shame itself!
Why do you make such faces? When all's done,
You look but on a stool.
　(III.4.59–67)

Macbeth insists on the reality of what he sees:

Blood hath been shed ere now, i'th' olden time,
Ere humane statute purg'd the gentle weal;
Ay, and since too, murthers have been perform'd
Too terrible for the ear: the time has been,
That, when the brains were out, the man would die,
And there an end; but now, they rise again,
With twenty mortal murthers on their crowns,
And push us from our stools. This is more strange
That such a murther is.
　(III.4.74–82)

The ghost Macbeth sees is a modern apparition, something that interrupts the traditions of life and community. In some sense, the dead's refusal to stay dead is a late effect of the humanization of morality. Macbeth is on the right track here, or at least more on track than his wife. For while Lady Macbeth is more psychologically adept (she knows her husband even if she refuses to believe he's seen a ghost), she lacks all sense of conscience. Macbeth manages to com-

pose himself and attributes the grim vision to unfamiliar routine. His conclusion is that of a mass murderer—conscience pricks to start, but then it dulls:

> Come, we'll to sleep. My strange and self-abuse
> Is the initiate fear, that wants hard use:
> We are yet but young in deed.
>   (III.4.141–43)

The last line is one of the most hair-raising in all of Shakespeare, for it suggests we can habituate ourselves to anything. Macbeth accepts this view, and resolves to become a murderer. Once you've waded in blood, he will later say, one step forward is no more difficult than one step back.

As for Lady Macbeth, we do not see her again until the famous scene in the fifth act where she tries to remove imaginary blood stains from her hands as she sleepwalks:

> Out, damned spot! out, I say! —One;
> two: why, then 'tis time to do't.—Hell is murky. —Fie,
> my Lord, fie! a soldier, and afeard?—What need we
> fear who knows it, when none can call our power to
> accompt?—Yet who would have thought the old man
> to have had so much blood in him?
> .   .   .   .
> —What, will these hands ne'er be clean?—
> No more o'that, my Lord, no more o'that …
> .   .   .   .
> Here's the smell of the blood still: all
> the perfumes of Arabia will not sweeten this little
> hand. Oh! oh! oh!
> .   .   .   .
> Wash your hands, put on your night-
> gown; look not so pale.—I tell you yet again, Banquo's
> buried: he cannot come out on's grave.
>   (V.1.36–65)

"Look not so pale"—so speaks the woman who presses her husband to kill. White and red, the colors of milk and blood, recur throughout the play. Lady Macbeth fears that her husband, a man whose heart is "too full o'th' milk of human kindness" (I.5.16), lacks the nerve to predicate his future reign on regicide, so she calls on the spirits to

[M]ake thick my blood …
.   .   .   .
Come to my woman's breasts,
And take my milk for gall.
>   (1.5.42; 45–47)

Eventually she prevails, and Macbeth kills King Duncan. Afterward she tells her guilt-ridden husband to

Go, get some water,
And wash this filthy witness from your hand.—
>   (11.2.45–46)

These are the words of someone experienced in bloody affairs. For Macbeth, washing the hands is a symbolic act:

MACBETH: … Will all great Neptune's ocean wash this blood
Clean from my hand? No, this my hand will rather
The multitudinous seas incarnadine,
Making the green one red.
LADY MACBETH: My hands are of your colour; but I shame
To wear a heart so white.…
 … retire we to our chamber.
A little water clears us of this deed:
How easy it is then!
>   (11.2.59–67)

Lady Macbeth is surprised that her heart has remained pure despite it all, but she is mistaken. What she shrugs off as incidental stays with her:

Had he not resembled
My father as he slept, I had done't.
>   (11.2.12–13)

The only reason she doesn't kill Duncan is his resemblance to her father. Macbeth, by contrast, avoids mentioning the color red when he reports of Duncan's death:

Here lay Duncan,
His silver skin lac'd with his golden blood;
And his gash'd stabs look'd like a breach in nature

For ruin's wasteful entrance: there, the murtherers.
Steep'd in the colours of their trade, their daggers
Unmannerly breech'd with gore.
     (II.3.109–10)

Macbeth becomes less self-conscious as the play progresses, and blood soon becomes something familiar, something he serves. By the end, though, he can take it no more. Not because conscience calls; the problem is surfeit. To Macduff, whose wife and children he has put to death, he says, "[G]et thee back, my soul is too much charg'd / With blood of thine already" (V.8.5–6). But when Macduff rejects his offer and calls him a "bloodier villain," Macbeth chooses to fight, his white complexion having long since reddened. Indeed, a few scenes prior to his confrontation with Macduff, Macbeth insults his servant for being pale:

… [T]hou cream-fac'd loon!
Where gott'st thou that goose look?
.   .   .   .
Go, prick thy face, and over-red thy fear,
Thou lily-liver'd boy.
     (V.3.11–12; 14–15)

Lady Macbeth, for her part, tries to reverse course and wipe the blood from her hands, but the night of the murder and the somnambular night in the castle become one. The blood, both real and imagined, paints a picture, and washing one's hands becomes a compulsive act. Her most important line is "What's done cannot be undone" (V.1.69). She says it to bolster a man pale with fear, but its truth issues from an evil conscience. No more spirits appear, no survivors or undead threaten revenge. All that remains is the futility of cleansing a sullied "heart so white."

In *Titus Andronicus* there is no concern for the suffering of others; in *Richard III* what stands for conscience stems from fear that the murderous politician will end up like his victims, and compassion for the murdered exists only among the executioners; in *Macbeth* the man whose wife coolly drives him to murder is afflicted by the knowledge that he is a murderer.

CURTAILING VIOLENCE AND PRESERVING TRUST

In this chapter and the last, I have described how modernity has been shaped by the state monopolization of violence, the fragmentation and deregulation of

power, a first-person worldview, a universal idea of humanity, disgust toward cruelty, mutual assertions of nonviolence, societal differentiation, the erosion of religion's explanatory monopoly, the discovery of new worlds, and the spread and multiplication of ideas through the printing press.[110] One of the many consequences of these developments is a radically altered relationship to violence.

By "radical" I do not mean to suggest a sudden transformation. Rather, I want to call attention to the sharp difference that sets apart modernity from all other forms of civilization: *the effort to expand the zone of prohibited violence and restrict the zones of permitted and mandated violence.* As I have argued, the state monopoly on violence is not static but evolutionary; it is a monopolization. This is for contingent reasons: there are always other interests that oppose it, first and foremost groups that distrust modernity. The National Rifle Association in the United States is one case. The classic Western, along with its successors, particularly *Hang 'Em High* (1968) and *Unforgiven* (1992), represents another. So too does Schiller's Wilhelm Tell, the crossbow-wielding freedom fighter who, much like the outlaw of the Wild West, clings to his right to disrupt the state monopoly.[111]

In sixteenth-century Europe, the modernization of violence proceeded by leaps and bounds. Firearms and swords were consigned exclusively to government arsenals and their production placed under state control, while forms of violence once permitted were prohibited, and the practice of those still permitted increasingly required official license.[112] This expansion of the state monopoly on violence brought with it laws that emphasized obligation over permission, so that legitimate violence meant violence of the last resort, when all other possibilities were exhausted. Though there was no way to curtail the discretionary power of the police officer or the prison guard, regulations now existed to determine whether his decisions were appropriate after the fact. These regulations made the legality of violence liable to verification and prevented misuse, which could undermine the state monopoly. The personal judgment of the perpetrators no longer served as the final arbiter of right.

Regimes of state terror employ a coercive apparatus that operates in a legally attenuated or extrajudicial space characterized by deregulated violence and the absence of legal recourse. The modern state that developed in the sixteenth century did not employ this kind of arbitrary coercive apparatus, but the mere existence of regulation says nothing about the degree or kind of violence the state exercises, or the relationship between mandated and permitted violence: for instance, whether a criminal is incarcerated for a limited or unlimited period, whether he is mutilated or sentenced to death, whether he is hanged by the neck or impaled on a stake.

Despite the open-endedness of regulation, the evolution of modernity has been accompanied by a decline in cruelty. Torture was gradually eliminated;

wars were restricted to the battlefield; the occupation of cities and regions no longer routinely resulted in devastation; the number of crimes punishable by death decreased; execution became more oriented to death and less to the destruction of the body; autotelic violence was proscribed; prisoners received rights and better treatment. Anyone who considers this history of violence cannot help but speak of progress, however profound his or her skepticism. *Our culture lives on this very progress; without it and the normative claim of its idea we would not be able to criticize modernity's shortcomings.* Even Foucault's doubts about progress thrive in the medium of this normative claim. The rejection of the idea that a body's being bent doesn't count as cruel because it hurts less than a body's being broken rests on the modern conviction that both pain and its infliction are evil—hence the torturer's preference for bending over breaking. Modernity regards Foucault's flirtation with pain, his sympathy with autotelic violence, as a perversion. Foucault's school of philosophy sees this categorization as an insult. Like every philosopher, Foucault had his private obsessions.

This is not to say that the diminution of cruelty has ended cruelty. What it has done is led states to regard cruel forms of violence as illegitimate and to increase the number of forms of violence they regard as cruel. Modernity's regulation of violence legitimizes its use only as a last resort for the purposes of enforcement. Violence that is excessive or that springs from the whimsy of its agents is considered wrong.

As the state monopoly on violence became subject to legal regulation, it tended to reject autotelic instruments of violence in favor of locative ones on the grounds that the latter could be justified instrumentally. We see this in the armed forces, in the police, and in other agencies charged with maintaining order. It can also be found in how modernity came to see the death penalty as justifiable only as a deterrent. Yet from the start the deterrence argument was not without controversy, as Montaigne's criticism makes plain:

> As for me, even in the case of Justice itself, anything beyond the straightforward death-penalty seems pure cruelty....
>
> … My advice would be that exemplary severity intended to keep the populace to their duty should be practised not on criminals but on their corpses: for to see their corpses deprived of burial, boiled or quartered would strike the common people virtually as much as pains inflicted on the living....
>
> … I found myself in Rome at the very moment when they were dispatching a notorious thief called Catena. The crowd showed no emotion when he was strangled, but when they proceeded to quarter him the executioner never struck a blow without the people accompanying it with a plaintive cry and exclamation, as if each person had transferred his own feelings to that carcass.[113]

Governments occasionally followed Montaigne's view and had the condemned strangled before public mutilation took place. (When they did, they did not notify the public). But whatever deterrent effect this might have had, the mutilation of dead bodies all but ceased after the mutilation of living ones was abolished. The truth is that no form of execution has ever been eliminated solely on account of its failure to deter. The question whether mistreatment of a prisoner is necessary to prevent others from following suit always proceeds from a prior need to justify the act and to pursue a more humane course of action whenever justification cannot be provided. Discussions about the deterrent value of capital punishment take for granted that it is better to do without the death penalty when possible. Those who do not take this for granted—such as Kant and other exponents of retributive justice—do not engage in this sort of discussion.

The premodern violence of the sovereign was a self-celebratory display of unlimited power, not with respect to legal boundaries—which existed even before the systematic regulation of power—but with respect to the body. The last major public displays of excessive violence came in response to attacks on the sovereign. In the case of Damiens, the man who attempted to kill Louis XV, officials needed to refamiliarize themselves with a method of execution no longer part of the standard repertoire. Modernity generally regards the death penalty as a continued celebration of power and believes that purging it of this suspicion means eliminating its autotelic characteristics, which is to say, excluding pain from the process wherever possible.[114]

Montaigne's recommendation, strange as it is to us today, touches on an important point. It's true that we abhor the mutilation of a corpse almost as much as we do that of living person. This abhorrence manifests the modern rejection of autotelic violence. It's why someone like Alexander Mitscherlich can equate shooting a person with dismembering a dead body.[115] Our idea of violence is so bound up with the body that even when insentient it seems to register pain.

The tendency to restrict violence to what is absolutely necessary receives additional impetus from the idea of our common humanity. This is not to say that we moderns are the first to see in the enemy or in the suspect or in the convict a fellow human being capable of suffering. No one doubted that those accused of witchcraft felt pain when being tortured. But the argument that their suffering is reason not to torture springs from a distinctly modern viewpoint. When Seneca advised Lucilius against watching gladiatorial combat, it was not because he thought it ghastly but because he regarded it as tawdry entertainment, and poor swordsmanship, besides.[116]

It goes without saying that this ideal has continually run up against recalcitrant realities; remarkable is the fact that it has nevertheless remained intact. The way to preserve an ideal whose realization, or reality, remains incomplete,

is to accept the ideal with reservations. In the introduction to *The Philosophy of History* Hegel writes:

> What makes people morally dissatisfied … is that they do not see the present as measuring up to the goals they hold as right and good. This applies especially to contemporary ideal models of political institutions—thus contrasting the way things *are* with the way they *ought* to be.
>
> Here it is not the particular interest, not the passion, that demands to be satisfied, but rather the demands of Reason, Justice, and Freedom. And once it is furnished with this title, the demand becomes haughty, and it is not only dissatisfied (all too easily) with world conditions, but even rebels against them....
>
> … [N]othing is more common today than the complaint that the *ideals* raised by fantasy are not being realized, that these glorious dreams are being destroyed by cold actuality. On their life-voyage, these ideals smash up on the rock of hard reality. They can only be subjective, after all.... Ideals of that sort do not belong here—for, what the individual spins out for himself in his isolation cannot serve as law for the universal reality, just as the world's law is not for the single individual alone (who may come off much the worse for it).
>
> But by the term "ideal" we also understand the ideal of Reason, of the good, the true. Poets such as Schiller have presented these ideals in very moving and emotional ways, with the feeling of deep sorrow at the fact that they may never be realized.[117]

Hegel called his philosophy of history "a theodicy, a justification of the ways of God,"[118] and his argument is that found in all theodicies and their derivatives: anyone who complains has failed to see the bigger picture. Hegel begins with the philosophy of the armchair:

> That mellowness of age is a ripeness of judgment—which not only accepts the bad, through disinterestedness, but is also led to what is substantial and solid in the matter in question by having been instructed more deeply by the seriousness of life.

And he ends with the philosophy of the university chair:

> The insight to which philosophy ought to lead, therefore (in contrast to what happens to those ideals), is that the real world is as it ought to be.[119]

Only that which is possible can exist and only that which exists is possible, for that which ought to be follows from that which is. Hegel's real world is the state, the harmony of freedom and necessity, and the embodiment of everything he thinks we could rationally wish for.

Hegel appears here on account of his elaborate and novel idea: that ideal and reality are in discord without the one discrediting the other. This thought—though not necessarily in this form—is decisive for understanding the relationship between modernity and violence. The ideal is not something that is realized or not; it is something that provides a special kind of legitimation. For in addition to violence being "absolutely necessary," it must also be seen as restricting future violence. Violence exists only insofar as it's required *for now*; the ideal is to do without it entirely. Luhmann calls this figure of legitimation "the civil [*bürgerliche*] technique of situating violence in a time dimension [*Temporalisierung der Gewalt*]." It establishes violence "as the start of the system which leads to the selection of rules, the function, rationality, and legitimacy of which renders them independent of the initial conditions for action." At the same time, it portrays violence "as a *future* event, the inception of which can at present be *avoided*."[120] Here Luhmann partly follows Hegel when he writes, "The first formation of a state is authoritarian and instinctive, [characterized by] obedience [and] force."[121] But unlike Luhmann, Hegel ends with a freely chosen yet necessarily determined insight—namely, "that the real world is as it ought to be"—to which philosophy purportedly leads us all.

The pairing of violence with a justificatory *still-to-come* is not restricted to all-encompassing philosophical constructs like Hegel's. It's also an everyday form of legitimation. The time is not *yet* ripe. We are not far *enough* along. We must accept it *for now*. The task of violence is not simply to prevent specific instances of violence but to promote a less violent future. When society combats crime or wages war, it also imagines their elimination. Violence that serves prevention serves the ideal. *Modernity deems violence justified only when it is believed to end violence or prevent more extreme violence.* In places where this model of legitimation obtains, peaceful resistance stands a chance, provided it gains the attention of institutions (news media, parliament, and so on) that are equipped to dispute legitimacy.

When people vehemently want to delegitimize violence, they attach to it the sense of temporal regression. They call violence "medieval" or "primitive." It was common for many years to see National Socialism as a return to the Dark Ages. "Barbaric" violence conjures up images of Arnold Schwarzenegger's Conan character—pumped-up muscles, animal skins, horned helmet and all. More generally, the barbaric evokes the autotelic violence that modernity most emphatically wants to have put behind it. This strategy of temporalization can work the other way too. Talk of "modern torture"—a criticism of modernity's low-violence image—contrasts the traditional blood and dirt of autotelic violence with the furtive, cold, instrumental, and indirect means used today. Refuting the existence of "modern torture" has not dashed the hope that modernity

is modern enough to torture in modern fashion. It was long believed that what made Nazi mass murder a specifically modern phenomenon was its "industrial" character. The metaphor of industry invokes hygiene, rationality, effectiveness, and cold-bloodedness. In truth, however, these images better correspond to the Nazi ideal than to its brutal and chaotic reality.

With temporalization comes spatialization, which is legitimation by way of geographical difference. It's when we distinguish between a here—the birth-place of modernity, say, where ethnic groups aren't supposed to beat each other to a pulp—and a there—Turkey, say, where we accept that they do. Had the U.S administration called the 1994 mass murder of Tutsis "genocide," modernity would have gone global. Instead, the United States legitimized the situation in Rwanda by insisting that it was a "tribal conflict," and the UN did not inter-vene.[122] Sometimes the "civilized" put themselves on equal footing with the "bar-barians," as when white soldiers from the West took up scalp hunting or when the German kaiser encouraged his troops to spread terror like the Huns. In all cases, spatialization and temporalization join forces. *Far away* violence domi-nates *for now*. The objective is to bring peace to the *far away* by incorporating it with the *here*. This is the white man's burden, the civilizing mission, and it is one of the most important topoi in modernity's relegitimation of violence.

The ultimate form of delegitimizing autotelic violence is denial. By relating illegitimate violence to an instrumental objective, we may explain it, but we also explain away the possibility of autotelic violence. A passage in *Thus Spoke Zarathustra* portrays the autotelic in coexistence with the instrumental:

> Thus speaks the red judge: "Why did this criminal kill? He wanted to rob." But I say to you: his soul wanted blood, not robbery. He thirsted for the bliss of the knife!
>
> But his poor reason did not comprehend this madness and it persuaded him. "What does blood matter?" it said. "Don't you at least want to commit robbery in the process?"
>
> And so he listened to his poor reason, like lead its speech lay upon him—and he robbed as he murdered.[123]

We find this position culturally untenable. *For the idea that autotelic violence is a normal part of human behavior destabilizes our trust in the sustainability and self-regulation of civilization. This is why we cling to instrumental interpretations of violence as long as we can, as long as the price is right, so to speak.* We—evil people all of us—understand it when someone kills for thousands of dollars. But when a person beats to death a taxi driver for a few bucks we are appalled, less on account of the deed than because the deed defies explanation. The per-petrator, who could not have known in advance how much the driver had on

him, *was prepared to do murder for pocket change*. When instrumental explanation fails, we pathologize; when that fails, we mystify.

The image of the Nazi criminal immediately after the war was the pathological sadist. In 1952 the director of the Max Planck Institute in Heidelberg, Hermann Rein, hesitated to inform the public of Nazi medical experiments, since he believed that the doctors who committed them "were pathologically deviant."[124] Mitscherlich refuted this diagnosis by pointing out the sheer number of people implicated.[125] Mystification began once the public accepted that pathology explained little. How could so many have been involved? How could doctors perpetrate an act like this? Or the classic question I discussed in the introduction: how could ordinary family men do such a thing?

The general public seems more likely to accept perpetrators who kill out of desperation or from religious conviction than to assume that the power of autotelic violence outweighs the loss of life, whereas academics commonly resort to instrumental interpretation. Thinkers have interpreted Nazi crimes as a diversion from class struggle, as a consequence of demographic or social policy, and as a means of individual or collective gain. This insistence on utility as the sole cause and motivation for the crimes reveals a massive resistance to other interpretations. But while the argument, say, that suicide bombers are pawns in a larger strategy might make their leaders' actions plausible, it cannot account for their recruitment success.

In the previous section I named the three factors that constitute modern trust:

Social Interactions ——————— Control Measures

Collective Beliefs

Control measures to limit everyday violence are the most obvious and important means of building trust. Social interactions secure trust by demonstrating we have nothing to fear from one another. Collective beliefs provide the framework of assumptions in which control measures and social interactions take place: that society strives to keep violence at a minimum; that we are protected from the return of past violence by a historical barrier; and that autotelic violence is repulsive, illegitimate, and pathological. The only violence we accept as legitimate is violence that prevents greater violence in the future. When violence cannot be justified in this way, we declare it illegitimate.

These are the ways we claim that the state monopoly on violence works, and it is how we confirm to one another that our ideas of self are ethical and viable concepts that accord with reality. Freud doubted whether we'd succeed with

the latter task. Indeed, the most important contribution of psychoanalysis to understanding culture is the insight that maintaining trust in modernity demands just as much as it gives. Trust in a low-violence modernity reduces our fears, but maintaining it requires both serious intellectual effort and serious psychological denial.

RELEGITIMATION (1): THE RHETORIC OF NATION AND CIVILIZING MISSION

Now we want to thrash it.
—KURT TUCHOLSKY, "MONUMENT TO THE DEUTSCHES ECK"

Can the level of violence in modernity really be considered low by any stretch of the imagination? Even before twentieth-century atrocities, there were the executions of the Reign of Terror, the mass killings in the War of the Vendée, the carnage of the Napoleonic wars, the massive casualties caused by breech-loading rifles at Königgrätz, the devastation of the U.S. Civil War, the trail of blood left by colonialism in the Americas, in Asia, in Africa, in the Pacific, and in Australia. But to say that the level of violence in modernity is low is not to deny or relativize instances of violence like these. Just as to point them out is not to idealize premodern times or deny the real progress that has taken place in modernity, all its idealization notwithstanding. Understanding violence in modernity, especially twentieth-century violence in modernity, requires that we demystify it. We must explain why the continued outbreak of extreme violence—both locative and autotelic—does not undermine our continued trust in modernity. *Playing a pivotal role in the precarious coexistence of trust and extreme violence are the rhetorics of legitimation that regulate a society's social interactions, control measures, and collective beliefs.*

In the previous section I argued that the specifically modern paradigm of legitimation is prevention. Preventative violence is only legitimate when it is seen to preclude violence from happening again, or when it is used in areas where modernity has not yet taken hold. These forms of legitimation are in line with much of modernity's history, but they also seem to run counter to the one idea that has done the most to legitimize violence in the modern age: the nation. The concept of the nation, to repeat my claim from chapter 2, compensates for the idea of a whole that is absent in modernity but nevertheless necessary for the development and preservation of social trust. In totalitarianism the nation enters patriotic or nationalist discourse, where it pretends to be the whole for whose absence it compensates.

Toward the end of chapter 1, I note the equivocation inherent in the very concept of nation. On the one hand, the concept of nation is overdetermined—at once territory, form of statehood, culture, and ethnicity. On the other hand, it is underdetermined because these aspects never determine it completely. *As a fictive compensation for modern differences, the nation is, like modern social trust, a practical, never-ending task.* Ulrich Bielefeld writes:

> The process by which … *we* writ large becomes existential—the process by which the life of the individual is coupled to the group—characterizes the reality of a construct that makes an enduring … relation to the *we* a "natural attitude." … The nation becomes the self-reflexive affirmation of the self-determined *we* that must constantly secure its existence—in days of commemoration, in solidarity toward members, in the production of collective identity.[126]

He continues:

> The nation relies on institutions and symbols to realize itself … in the plebiscite of the everyday.… The nation is a community that requires more than the social code it authors.… [I]t needs money and taxes, schools, armies, police, a judicial system, a public sphere and, at times, religion.… However much the nation describes itself as a unity, it runs aground on this description … for it always seeks or needs to integrate more than it can.[127]

The practices of modern social trust play out within the national framework, both referencing and reinforcing it, but they also reach beyond it. If they did not, there would be no global economy, no reliable currency conversion, no international or multinational law. In this sense the nation seems to be a remnant of premodernity, which historically is not the case. The nation appears most antiquated when, in its interests or in the interests of its survival, it serves to legitimize military violence. Interstate wars endanger modernity's cosmopolitan component, which is why enlightenment thinkers, committed to cosmopolitan ideals, responded skeptically, criticizing monarchs for letting their subjects die on the battlefield in behalf of dynastic trifles.

The patriotic pathos Laurence Olivier portrayed in the film adaptation of Shakespeare's *Henry V* (1944) cannot belie the text: the English king's claims to the French throne are based on legal and dynastic rationale. His francophile attitude in act 5 is the caprice of a sovereign: "We are the makers of manners, Kate" (V.2.268–69). In his speech before the battle, Henry seeks to inspire courage and perseverance by invoking not national community but military community in search of collective glory: "For he today that sheds his blood with

me / Shall be my brother; be he ne'er so vile, / This day shall gentle his condition" (V.2.61–63).[128] Through the first half of the eighteenth century, military action for the fatherland was bound primarily to martial valor. At some point this connection became precarious, for the violence of the soldier could not be squared with the idea of instrumental justification. In the context of military violence, instrumental means only "whose instrument" and "to what ends." Voltaire spoke of kings who let their subjects shoot each other for a few square miles of snow-covered wasteland in Canada.

Once the old dynastic forms of legitimation and legality became invalid, the demand that martial violence be mandated under certain circumstances came to seem bizarre. In his 1761 *Dying for the Fatherland* Thomas Abbt, criticizing what he saw as the prevailing zeitgeist, wrote, "Rational reflection finds it more prudent to eat bread with relatives in peace and comfort than to get shot for the sake of vain honor.[129]

When *Dying for the Fatherland* was published, the conflict that would become known as the Seven Years' War was in its fifth year.[130] This war is of particular interest for historians. Prussia's dominance in Europe was on the line as never before; the alliances that made the war possible—France fought on Austria's side—astonished contemporaries; and France's conflict with Prussia's ally England spilled over into North America, giving it the character of a world war. In the German Reich, there was, in addition to the military conflict, dispute about the war's legitimacy. The historian Johannes Kunisch writes:

> [T]he Seven Years' War was one of those state actions that occurred at regular intervals in the ceaseless rivalry between the sovereign states of the Ancien Régime. All participants regarded it as a war between states in which the sovereigns and their political and military functionaries were the decisive agents.... But, interestingly, the Seven Years' War also featured a dimension whose full repercussions would become evident only in retrospect: the development of a patriotic consciousness and sense of identity that began to bridge the gap between authority and subject in the Age of Absolutism.[131]

In the first phase of the war the participants provided a patchwork of justifications. Austria claimed it was responding to an illegal occupation; Prussia marched preventively into Saxony and justified it as self-defense. This was all standard fare. After France and Austria formed an alliance, however, something else became audible: Prussia called it a religious war.[132] This perspective was based on a century-old model of experience. Ever since Catholic France joined forces with Protestant Sweden against Austria in the last stage of the Thirty Years' War, the concept of alliance had been blown wide open. This prompted

three fears in the Prussians: a prolonged and devastating domestic conflict owing to outside intervention, a Catholic revision of the terms of the Peace of Westphalia, and a continuation of the French policy of annexation from the second half of the seventeenth century. The fears were not unfounded. In a 1757 pamphlet published during one of the most dangerous periods in Germany's history, we read: "The … Germans [were] so exhausted by the lengthy war that they were unable to provide sufficient resistance to France's growing power."[133]

But fear does not constitute a *we*; on the contrary, it sows panic and destroys the pre-existing sense of community.[134] At most, fear makes one willing to accept a strong, aggressive collective. At any rate, there is a general intellectual consensus that monarchies are not suited to constitute a *we*. This is the assumption of Thomas Abbt's essay, which would have been less successful had this view not already gained wide acceptance. Love for country and the willingness to die for it were generally regarded as a virtue of the antique polis.[135] Citing Montesquieu, Abbt wrote that monarchies could elicit martial valor only by mobilizing the idea of honor, but this idea would have little sway over modern mass armies unless directed at a collective point of reference such as the fatherland.[136] Abbt's problem was to create a *we* equal to the exclusive *we* of the polis. The task turned his writing into a work of political philosophy whose goal was to prove that the "well-equipped monarchy is a fatherland."[137] Abbt recognized that love for country is easy "in a republic enclosed in a narrow region" where all feel secure as citizens.[138] Meeting these conditions, he argued, is the only way a monarchy could be a fatherland:

> Citizens are everything. That's how I imagine a monarchy. Am I not right to infer that every subject is a citizen, as the citizen is a subject in the freest republic? Everything is subject to law. No one is free. Everyone operates according to the spirit of the constitution in which he lives.… When my birth or my free decision joins me to a state to whose salutary laws I submit myself and which take away no more of my freedom than is necessary for the good of the whole, then I call this state my *fatherland*.[139]

What Abbt envisions is a constitutional state in which the monarch is the embodiment of the constitution that protects it and thus a representative of the state that merits protection. "A people sees its monarch, from early childhood on, as the prince that will protect it; but also as a precious surety the nation must preserve."[140] This constitutional monarchy is nothing other than the nation, one that exists not least in the collective imagination, in the practices of celebrating the *we* as one honors the king. In the constitutional monarchy, one

does not die for the king and his interests but for the collective *we* and its ideas of loyalty and honor.

Already in its infancy, the concept of the nation required the idea of a whole that stood in irresolvable tension to modernity's social differentiation. Wieland's last, great novel, *Aristipp und einige seiner Zeitgenossen*, reads like a response to Abbt. The setting is Athens at the time of Socrates. Wieland speaks through the novel's lead figure, the philosopher Aristippus of Cyrene:

> Nature, the mother of me and the mother of all, knows nothing of Cyrene and Athens. It made me a man, not a citizen. But to be a man I had to be fathered by *someone* and born *somewhere*. Fate decided it would be to a Cyrenian citizen in Cyrene. One does not become a man to become a *citizen*; one becomes a citizen to become a *man*, so that, in other words, one can better and more reliably become everything a man ought to be according to his nature. Being a man is not subordinate to being a citizen, as is commonly thought; being a citizen is subordinate to being a man. Duty of the citizen to the state and the state to the citizen exist in exact equilibrium. As soon as my forefathers became citizens of Cyrene, the city had the duty to protect their property and basic human rights and those of their offspring. We owe the state no gratitude for fulfilling its duty, just as the state owes us no gratitude for fulfilling ours. Each does what is required. The contract into which we entered with each other was nothing less than *unconditional*. Cyrene promised to protect us *as far as possible*. It would have nothing to resist a great king or another superior power. For our part, we reserve the right to leave with all our possessions should we come to believe we can live more securely and happily under different guardianship. This reservation is absolutely necessary for our safety. Though Cyrene can use violence to compel *us* to fulfill *our* duties, we are unable to force *it* to give us our due.... If a special case occurred where I could be useful for my fatherland, I would remain devoted as a citizen of the world, provided it did not conflict with a higher duty, e.g., *to do no wrong*. For if Cyrenians suddenly had the desire to *conquer Sicily*, I would feel myself no more obliged to lend them my neck or my arm or a drachma from my purse than to help them conquer the moon.[141]

This passage reveals the similarities between Wieland and Abbt, but it especially highlights the differences. For Wieland's Aristippus, joining a community and living under its laws does not obligate us to risk our lives. There is always the possibility of refusing the community's demands, even if it means departing. (Something neither the staunch particularist Wieland nor the travel-ready Aristippus would have found all that dreadful.) This idea of community is fundamentally different from Abbt's idea of nation. Regarding the relationship between law and freedom, Aristippus takes the classic liberal position that my

freedom's boundary is that of my fellow citizen. Law is supposed to define the area of contact between them. For Abbt, the good of the state determines my freedom. Love of the fatherland brings with it a mandatory communal relationship. *When the idea of the nation is used to legitimize violence, the latent tension between the practices that constitute it anew and the practices that constitute trust in modernity becomes manifest.* In "On German Patriotism" (1793) Wieland put it like this:

> For some years now I have heard people sing the praises of *German patriotism* and *German patriots*. The number of valiant individuals who declare themselves in favor of this fashionable virtue … grows more out of hand by the day, so that I too wish to become a German patriot just to avoid being the odd man out. I can sincerely assure the entire Holy Roman Empire of the German Nation that I am not for want of good will. Only, I have not yet been able to arrive at a clear and orthodox idea of the German patriot and his duties and how these duties are to be fulfilled, or how they [are] to be reconciled with the duties that I believe (perhaps due to the bias of upbringing) I owe other peoples, with whom we descended from a single common ancestor and who are thus our fellow people and brothers, so to speak.[142]

The excessive importance attached to a nation that rewards the willingness to die and kill finds expression in the radicalization of societal inclusion and exclusion. As Bielefeld writes, "It is not the subtle differences but the crude segregations that characterize the rule of national inclusion.… [T]he exclusions follow from the inclusions. The forms of thematizing and institutionalizing the *we* influences the form of exclusion—in this case, the definition of the other."[143]

The modern thematization of the *we* occurs in discourse that seeks to legitimize military violence. Because traditional manifestations of military violence—religious wars, dynastic conflicts—are no longer legitimate in modernity, military violence must be seen to serve the interests of a threatened national collective as a form of locative, instrumentally justified violence *for now*. This *for now* was evident in Prussia's recourse to the model of experience provided by the Thirty Years' War. When a nation's opponent took to illegitimate forms of violence, it had no choice but to defend itself with illegitimate forms of violence, which, because they were in defense, could then be justified as modern. This was how Prussia viewed the annexation of Saxony in the Seven Years' War. The action contradicted the legal standards of the day but Prussia justified it as a necessary and, hence, instrumental part of military strategy.[144] Claiming an imminent religious war, Prussian officials spoke of "pillaging soldiers" and "the caprice of foreign marauders," who "covered Germania like locusts, like the thick swarm that darkened the light of day and the rays of the

sun and plagued … the Egyptians."[145] Operative here is not so much the con-
notation of locusts as "vermin" as the image of ancient threat. The Prussians
lent the threat concrete form by imagining the atrocity to come. The French
army—the threat from the West—consisted of "all types, every Dick and Tom
who want to sleep with young women."[146] This was an allusion to syphilis, which
the Prussians referred to as the "French disease," as well as to rape. While the
French were supposed to be given to raptive violence, the Russians—the threat
from the East—were supposed to be given to autotelic violence:

> Prussia … is under the sword of an enemy who hardened all feeling for humanity in
> a brutal fury. Such cruelty as they carry out cannot be more horrific than if devils in
> human forms did the strangling.… Not even the old man in crutches and the infant
> suckling at his mother's breast are spared. Men and women alike fall prey to the fury
> of the barbarians.[147]

Here again is the topos of the "barbarian," the one who, because appearing to
follow a different set of rules for violence, comes to stand for unbounded vio-
lence par excellence. The *there* of the barbarian also implies the *here* of civiliza-
tion's progress. The "cave-dwelling" Russians did not attend the humanizing
school of Christianity. As another official writes, "This lack has made them into
savages. This lack has made them into people without feeling. For this reason
alone the Hottentot is a Hottentot and the cannibal is a cannibal."[148]

The poet Johann Wilhelm Ludwig Gleim describes the Russians as a people
who "have not yet become human" and with whom even a "friend of human-
ity" like Frederick the Great must "bear arms."[149] In the 1757 poem "Siegeslied
nach der Schlacht bei Lissa" (A Paean after the Battle at Lissa), Gleim erupts
into a fantasy of autotelic violence:

Cruel martial desire
To kill had yet not
Entered our bosom,
Or kicked us in the face.
But now, father! We had
Not heart, but fury
We saw the enemy with murderous desire
We starved for his blood!
. . . .
Inhumanely, we ceased to hear
the pleading and begging
of those knelt before us.

How quickly we would have heard before!

.   .   .   .

Not tigers, but the human race,
Smolder in war with itself, like you!
We, human beings, yell into battle
"Die you dogs!" at human beings.[150]

The last two lines might suggest sadness at the depths to which humankind has sunk, but this was not the intention.

Attached to the idea of civilizational distance and its tendency toward violence that resists instrumental understanding is a special rhetoric of legitimation in modernity: the rhetoric of civilizing mission. By "rhetoric" I do not mean to undercut the legitimacy of the process. Using this term would only indicate illegitimacy if I regarded modernity's attitude toward violence as a sham, which I obviously do not. I address delegitimation and relegitimation not because they are found in every form of civilization but because of their unique expression in modernity. As in other ages and civilizations, modernity legitimizes certain forms of violence. Unlike them, however, modernity subjects all violence to an additional kind of legitimation. Violence in modernity is legitimate insofar as it is permitted or mandated *for now. Modern thought uses the rhetoric of civilizing mission to turn its problem into a solution*. More than to defend against barbarism, this rhetoric of the civilizing mission serves to restrict the sphere of violence itself.

An analysis of the particularly fraught relationship of modernity to violence yields real historical return. This rhetoric of the civilizing mission has been used to legitimize war, sometimes when its justice was not in doubt (World War II), sometimes when it was (the Kosovo conflict and the Iraq War), and sometimes when talk of justice was patently absurd (the massacres and genocides of colonialism). At any rate, this rhetoric cannot achieve its intended emphasis when those who speak it only consider the many instances when it has been abused. They will be cautiously reserved, or, lacking trust, they will avoid it altogether. They will not be able to generate the forceful *we* needed to mobilize forces or transcend resistance. Yet they will remain bound to this *we*—in most cases, the *we* of a nation—since in modernity, war is usually legitimized by reference to a collective.

Abbt's view that monarchies can only count on enthusiasm for war when the monarch is accepted as a representative of the nation became its own topos of legitimation. The criticism that wars are waged in the name of all but fought in the interest of a few remains the most important argument to delegitimize wars outside the monarchic state. Most recently, critics of the Iraq War pointed

out President Bush's ties to the oil business. Back in 1890, Helmuth von Moltke, the former chief of staff of the Prussian army and a member of Parliament, delivered a speech urging the government to increase military spending:

> Not long since, Gentlemen, the assertion was repeatedly made from the other side of the House, at least from the extreme Left, that all our military precautions are only taken in the interests of the wealthy classes, and that it is princes who bring about wars, and that, were it not for them, the nations would live together in peace and amity.[151]

Moltke denounced this argument as anachronistic:

> The days of Cabinet wars are past—now we have only the People's war, and to conjure up such a war as this, with all its incalculable consequences, cannot be resolved upon by any prudent Government, except with the greatest reluctance. No, Gentlemen, the elements which menace peace are to be found among the People.[152]

This state of affairs worried Moltke. Wars were no longer driven by rational political thought, directed toward predictable goals and calculable means, but by national and racial aspirations and the greed of those who felt slighted. Moreover, wars in Europe between heavily armed and populated powers could no longer be settled in one or two campaigns: "Gentlemen, it may be a Seven Years' War, it may be a Thirty Years' War," Moltke predicted.[153] To ensure that Germany was adequately prepared, Moltke sold parliamentary approval of military expenditures as an act of patriotism. When war did break out—its duration was fewer than seven years but its outcome was far more catastrophic than Moltke could have imagined in 1890—the opposition party did its duty and voted to provide funding. Hugo Haase, second in command at the SPD, had spoken out against a war loan during party discussions, but after being outvoted he volunteered to present the party's decision before the Reichstag. This background makes Haase's speech particularly remarkable: a justification of modern war that went against conviction. Haase began with a topos of delegitimation going back to the military criticism of Voltaire, Abbt, and Moltke—that rulers start wars with their own interests in mind. "We are standing," he declared,

> in an hour of solemn destiny. The consequences of the imperialistic policy—which brought about an era of armaments and made international difficulties more acute—have now fallen upon Europe like a storm-flood.
>
> The responsibility for this recoils upon the leaders of that policy; we decline to accept it.[154]

Yet the nation, he continued, was in danger, its borders under threat. Germany was "face to face with the stern reality of war ... [and] the terrors of a hostile invasion."[155] Under these conditions, the question of legitimacy either no longer applied or had already been answered. At issue was not war but the defense of the country. The framework for legitimacy was the nation: "Now we have to think of the millions of our *Genossen* who are innocently swept into this fate. They will suffer most through the devastations of war."[156] The nation is produced in war and through war. When waging war the nation exists by the emphasis that produces the *we* and its legitimation of violence. If according to the kaiser there were no parties, only Germans, according to Haase there were no parties, only soldiers. "Our ardent wishes accompany ... our brothers who are called to the flag without distinction of party."[157] Tied to the topos of national unity and military unanimity was that of the civilizing mission. The preservation of the status quo depended on victory, as did the country's future freedom. Until victory was achieved, violence was justified— again, *for now*. Haase continued: "In case of a victory for Russian despotism, which is already stained with the blood of Russia's best sons, much—if not everything—is at stake for our people and our free future. It is a question of averting this danger, and of securing the culture and independence of our own country."[158]

Haase rejected territorial conquest; the goal of war was "friendship with neighbouring countries."[159] In the final analysis, war was a pedagogy of blood, a *for now* that taught the *never again*: "We hope that the sufferings incurred in the cruel school of war will awaken a horror for war in new millions, and win them over to the socialistic ideal and international peace. Guided by these principles we vote in favour of the war loan."[160] *The topoi of national unity and the civilizing mission imagined the nation as the vanguard of civilization and a bulwark against barbarism.*

It would be absurd to claim that the moral and intellectual devastation of World War I was a result of this rhetoric—Haase himself was one of the founding members of the antiwar Independent Social Democratic Party. His speech serves only as an example of the rhetoric for legitimizing violence in modernity. Every society legitimizes its violence using such rhetoric in combination with the prohibited/permitted/mandated framework. When a rhetoric of legitimation breaks that framework, conflicts may or may not arise. Either way, a society must expend particular effort if it is to generate general acceptance of a form of violence prohibited by its own framework. The crucial issue is the proximity of the violation to a society's basic self-understanding. *It is here that the interrelation of trust and violence becomes particularly manifest.*

Those few observers unaffected by Europe's march toward world war saw it as a profound reconfiguration of beliefs about normality. One of the most

important literary records of this transformation is Karl Kraus's *The Last Days of Mankind.* Kraus was the first person to recognize World War I as what later historians would take for granted: the fundamental catastrophe of the twentieth century. In the following dialogue, Kraus describes the madness of war in the voice of one of modernity's discontents:

> GRUMBLER: In the past, war was a tournament of the few, and now it involves the multitude. It used to be a contest between the strong, now it is a battle of machines.
>
> OPTIMIST: The development of weapons cannot possibly lag behind the technical achievements of modern times.
>
> GRUMBLER: No, but the imagination of modern times has lagged behind the technical achievements of mankind.
>
> OPTIMIST: Yes, but does one wage war by imagination?
>
> GRUMBLER: No, for if we still had imagination, we would no longer wage war.
>
> OPTIMIST: Why not?
>
> GRUMBLER: Because then the stimulus of a phraseology left over from a decrepit ideal would not befog our brains. Because we would be able to imagine even the most unimaginable horror and would anticipate how quickly the road is traversed from the colorful phrases and all the flags of enthusiasm to the field-gray of misery. Because the prospect of dying of dysentery for the fatherland or of having one's feet get frostbitten would no longer set ringing oratory into motion. Because we would at least know with certainty that in setting out for the front we would get full of lice for the fatherland. And because we would know that man has invented the machine only to be overpowered by it, and because we would not outdo the madness of having invented it with the worse madness of letting ourselves be killed by it. Because we would defend ourselves against an enemy from whom we see nothing but rising smoke. Because we would have realized [or] sensed that our munitions factory does not provide sufficient protection against our enemy's [*sic*]. Had we imagination, we would know that it is a crime to expose life to chance, and a sin to degrade death to chance. That it is folly to build armored ships if one builds torpedo boats to outwit them. Folly, to make mortars if, as a defense against them, one digs trenches in which only the man who first sticks his head out is lost. Folly, to chase mankind into mouseholes, in flight before his own weapons, and henceforth to let mankind enjoy peace only under the earth.... Isn't it noticeable how our individual destinies sneak us off from the whole ensemble, in which everyone is a hero for lack of one?[161]

In the failure of moral and intellectual forces to constrain the possibilities unleashed by technological advance lies the effort to cling to an idea of self

completely at odds with reality. Alone, the legitimation of war would not have contradicted this idea of self. But the nature of that war—its technology, its massive scale—required a mass mobilization that brought increased emphasis on the idea of nation and the rhetoric of civilizing mission, which, together, suddenly broke free from all forms of practiced moderation. (The furor against human rights is just one example.) *When increased emphasis on the nation exceeds a certain degree, modern differentiation, along with its system of multiple political parties, gives way to the idea of the nation as a racially defined* Volksgemeinschaft.

The *Volksgemeinschaft* represented a new idea of social coexistence. It changed everyday interaction and diminished the control of violence at the individual and institutional levels. The pogrom became a part of everyday life. Consider these four passages from *The Last Days of Mankind*:

A VIENNESE MAN: (*holding a speech from a bench*): —we must obey the Manes of the murdered heir to the throne. Back then there was no playing around. That's why I say to you, fellow citizens, we must join the fatherland in this great era as one man, our flags waving. We are surrounded by enemies! We are waging a holy war of resources! … And that's why I say to you: it is everyone's duty who wants to be a citizen to stand shoulder to shoulder and do his part.… And that's why I say to you: you must all stand together as one man! Just so the enemies hear it: we are waging a holy war of resources. We stand like a phoenix through which they will not break.… Austria will rise like a phalanx from the world's ashes![162]

VOICES FROM THE CROWD: Bravo! Right!—Serbia must die!—Whether willing or not!—Every Serbian must die!
PERSON IN THE CROWD: And every Russki!
SECOND: (yelling): A pleasure!
THIRD: A fool!
FOURTH: A shot!
ALL: That's right! A shot! Bravo!
SECOND: And for every frog?
THIRD: A horse! (laughter)
FOURTH: A blow!
ALL: Bravo! A blow! That's right!
THIRD: And for every Brit?
FOURTH: A kick!
ALL: Very good! For every Brit a kick! Bravo!
PANHANDLER: God punish England![163]

AMERICAN FROM THE RED CROSS (*TO ANOTHER*): Look at the people. How
     enthusiastic they are!
CROWD: Two English! Speak German! God punish England. Scram! We're in
     Vienna.....
TURKISH MAN (*TO ANOTHER*): Regardez l'enthousiasme de tout le monde!
CROWD: Two French! Speak German! Scram! We're in Vienna!
PERSON IN THE CROWD: War is war and if a person speaks American or Turkish …
ANOTHER IN THE CROWD: Right. This is war. There's no messing around.
SECOND: War will bring a renaissance of Austrian thought and action. You'll see.
     We'll clean up!
FIRST: High time for a boost in spirits! We'll hang 'em.
SECOND: We need a steel bath! A steel bath![164]

FIRST POSTAL SERVICE ADMIRER: If the offensive comes now, watch out! We'll
     hang 'em!
SECOND POSTAL SERVICE ADMIRER: And afterward the Jews. We'll clean up![165]

Outbursts like these were unprecedented in modernity, occurring previ-
ously only at the margins of the social code. In Goethe's report on the Siege of
Mainz, for instance, we read about the atmosphere as French troops withdraw
from the city:

> [T]he crowd had become quite agitated; they shouted curses and threats. The
> women criticized their men for letting these worthless creatures pass without inci-
> dent, for they were certainly carrying in their bundles many a piece of property that
> rightfully belonged to true citizens of Mainz....
>
> Precisely in this most dangerous moment there appeared a procession which
> certainly would have wished to be far away from this scene. A handsome man rode
> up on horseback without any special protective detachment, his uniform not pre-
> cisely a military one, at his side a well-formed and very beautiful woman in men's
> clothing, behind them followed a number of four-in-hands packed with boxes and
> crates; the quiet was ominous. Suddenly there was a murmur in the crowd and a
> cry: "Stop him! Kill him! That's the scoundrel of an architect who plundered the
> cathedral chapter and then set fire to it!" It would have taken only one determined
> person to set off the crowd.
>
> Without thinking of anything else than preserving the peace in front of the
> Duke's quarters, and imagining in a flash what the sovereign and general would say
> if he returned and had trouble reaching his front door because of the debris left by
> such unlawful vengeance, I sprang downstairs, raced outside, and cried out with an
> authoritative voice: "Halt!"

> … [T]hese were the quarters of the Duke of Weimar and the plaza was sacred; if they wanted to make a disturbance and wreak vengeance, then they should go somewhere else. The King had promised safe conduct to all the French, and if he had wanted to set conditions and except certain people from the safe conduct, he would have stationed observers and either turned back or taken prisoner those who were guilty.… And they, the people in the crowd, no matter who they were and how they got there, had no other role to play here in the midst of the German army than to remain peaceful spectators; their misfortune and their hatred, I said, gave them no rights here, and once and for all I would not allow any violence in this place.
>
> … I said impatiently: "It is simply in my nature, I prefer to commit an injustice rather than endure disorder."[166]

Such disorder would become routine in the Europe of World War I and return with a vengeance in the Germany and Austria of the 1930s and World War II. Those who accepted disorder in their lives did not do so consciously, however. Some might have experienced intensity, elevated spirits, or excitement. But they would not have experienced these pleasurable sensations had they known they were losing their self in the process. Adopting the perspective of *The Last Days of Mankind* would have plunged them into a crisis of confidence and crippled their ability to act. A loss of self on that order can be integrated into everyday life no more than the shell shock of the trenches can be integrated into military life. *Increased emphasis on the nation and the idea of a* Volksgemeinschaft*, besides promoting collective violence, helped maintain the image of society's civility despite its disorder, and thus limited opportunity for cognitive dissonance.*

The zoological observation that the humiliation of an animal eliminates the biting inhibition in its rivals does not apply to human beings. The idea that dehumanizing others makes it easier to kill them is nonsense; history testifies to the absence of a biting inhibition in humans. The nonsense is well intended, however. Behind it lies an effort to universalize the notion that we are, at root, disinclined to violence. We preserve our cultural self, our everyday, our routine, our self-worth to avoid confronting our devilry. In *The Last Days of Mankind*, two war profiteers, identified with the mythical beings Gog and Magog, have the following exchange on a Swiss train:

> GOG: What do you think of their manifesto against gas war?
> MAGOG: Shows our gases are effective.
> GOG: Right. We Germans cheerfully support international law but we refuse to be suckers.

MAGOG: We face the future with calm hearts and a clean conscience.

GOG: We know their line. The old chestnut about negotiations. Reuter accuses us
of "evading an honest agreement on the principles of an emerging legal order."
Have you ever heard such hogwash?

MAGOG: Legal order? We've got gas![167]

The swagger of these speculators springs from cultural ruin and the stubborn belief that promotes it: the presumption that their cultural field of reference is the same despite the violent excesses they've committed. The tendency to put culture in the service of war is meant to aver one's purported civility; the outside observer sees it for all its ghastliness.[168]

Convincing ourselves that our words and actions are the same as they've always been is the most rapid means of individual and collective change. What's missing is a framework for the good and the proper. In a different age, public behavior like this would have elicited condemnation. There would have been no escaping society's norms. *Emphasis on the nation and the rhetoric of the civilizing mission can be used to reject the standards of the good and the proper.* The modern enemy is the enemy of modernity. Being called a barbarian means being consigned to a zone in which violence is permitted or mandated—for now.

BOUNDING THE NATION

Thinkers can find convincing examples to illustrate just about anything if they look hard enough. Sometimes, though, particular cases encapsulate an age so well that history seems to unfold before them. Walter Benjamin tried to derive something like a philosophy of history from experiences such as these. Benjamin's eighteen theses may fascinate us, but they should do so only up to a point. Suffusing natural, social, and historical reality with too much intentionality leads to the kind of excitement and sentimentality theory is supposed to guard against. I mention this only as an aside.

In 1870 Felix Dahn, a German professor of law in Würzburg, volunteered for military service.[169] Though Dahn had no love for Prussia (he was raised in Bavaria) and though he believed that Bismarck was exploiting the idea of the nation to push through hegemonic policies, he would later compose several tributes to German unification and the new nation's first chancellor. He correctly recognized the conflict with the Second French Empire to be what later historians would call a national war of unification, and he wanted to take part. Besides, he told officials at the recruitment office, he had always fantasized

about being a soldier and was a good shot at the fair. Authorities initially found his story absurd and rejected his application. Only after volunteering a second time was he permitted to enlist.

Dahn's first response to the war was not to grab a weapon, however. Shortly before deployment, he published a pamphlet to inform German soldiers about the rules of warfare. He left no doubt that law, not power, decides right and wrong:

> War may never effect a lawless state … or cut the legal ties between warring countries. The law established by common law or treaties governing war … may only be suspended or modified insofar as the war aim and the law of war … demand it. So for instance members of the enemy state may pursue their private rights in our courts, and there is no reason for trade to halt completely…. A sign of humanity's great progress … is the recognition of the principle that only the states, not their members, wage war as "enemies." The non-combatants, i.e. those who do not bear weapons, are enemies neither of the other state nor of its members. Moreover, the combatants are only indirect enemies because they serve the state … and represent its means of resistance. For this reason, they may be killed, wounded, or taken prisoner, but only by other combatants. Enemies are not, as in barbaric ages, without rights or to be conquered by whatever means of war seem useful. Wars may no longer be fought to eradicate entire nations…. Every means of war and harm to the enemy is prohibited that is not mandated by war aims. Only when the enemy persists in violating a custom of war despite being warned or when in situations of extraordinary danger may … these rules be broken. But these cases only justify more severe warfare; they do not justify a barbaric and inhuman one.[170]

Nine years later Dahn defended a similar legal principle. It is the right and duty of the individual

> to examine the legal system of his state to see whether it … provides a general framework for peace. Only if the answer is yes may he gladly obey the state. If the answer is no he must still obey the state … but he has the additional duty to work towards peacefully changing the irrational parts of the law.[171]

Everyone knows that international human rights, laws of war, and customs enshrined in common law have far too often failed their purpose. Still, it would be both cynical and factually incorrect to believe that international law only serves the powerful. Martti Koskenniemi aptly describes international law as the "gentle civilizer of nations." All justified skepticism notwithstanding, this is indeed its function.[172] The mere existence of international norms announces

that the nation is not the final arbiter of right and wrong. It enables local populations to criticize government breaches of international law in the name of an overarching *we*.[173]

THE GUILLOTINE AND THE PUPPY

The Jacobins' example is instructive.
—VLADIMIR I. LENIN, "THE ENEMIES OF THE PEOPLE"

Even in ages that seem, from today's perspective, to contain nothing more than brute slaughter and naked displays of power, the implementation of the death penalty has always followed a certain protocol. Indeed, clear regulation was an essential element in its acceptance.[174] Whenever an executioner deviated from standard procedure or botched the job, he ran the risk of being lynched by an enraged crowd. Consider decapitation. Until the eighteenth century, it was chiefly reserved for aristocrats as the quickest, most painless, and—when performed with a sword, the nobility's weapon of choice—the least dishonorable form of execution. But beheading carried many risks. If the blade made contact with bone a second attempt might be needed. If the criminal shifted position or if the executioner was out of shape or fatigued from performing multiple executions, the sword might strike the back of the head or shoulders, making the affair more gruesome than it already was. If the next in line saw the blood from previous beheadings, he might well lose his nerve. These risks were why in the twelfth and thirteenth centuries authorities began to experiment with devices that could carry out the task more reliably. As with beheading by sword, these early contraptions were for nobles only.[175] Had their use reflected a general discomfort with cruelty, and not the distinction of social class, they would have been for everyone. Despite this selective deployment, the automation of killing would later prepare the way for understanding execution as a form of locative violence.

By the eighteenth century, in part due to the influence of Cesare Beccaria's *On Crimes and Punishments* (1764), the death penalty came under increased scrutiny in Europe. In 1777 Jean Paul Marat wrote that death should be required only for the "most serious crimes": "liberticide, parricide, fratricide, murder of a friend or a benefactor." The punishment may dishonor the delinquent on account of his or her crime but it "should never be cruel."[176] Critics also demanded that the form of execution reflect not social class but degree of individual guilt. In 1783 Maximilien Robespierre submitted an essay for a competition on "the suppression of ignominious penalties," in which he advocated the universaliza-

tion of decapitation to spare the criminal's family the infamy brought on them by the scaffold and the wheel.

On December 1, 1789, Joseph-Ignace Guillotin, a physician and representative in the National Assembly, introduced a law to make punishment more equal and just. Its first article stipulated that "crimes of the same kind shall be punished by the same kinds of punishment, whatever the rank or estate of the criminal."[177] Likewise, the law stated that the punishment should not dishonor the family members of the victim and that citizens who spoke disparagingly of the family members were to receive judicial reprimand. The final article defined the severest form of punishment: "The method of punishment shall be the same for all persons on whom the law shall pronounce a sentence of death, whatever the crime of which they are guilty. The criminal shall be decapitated. Decapitation is to be effected by a simple mechanism."[178] Speaking before the Assembly, Guillotin extolled the advantages of the device that would later bear his name, claiming that those executed would feel nothing but "a cool breath on the back of the neck." The representatives greeted Guillotin's speech with laughter, no doubt a sign of their own unease.[179]

When, in May 1791, the Assembly resumed debate on the death penalty, it was Robespierre who provided a passionate dissenting voice. Now convinced that a free constitution and a relaxation of the penal code went hand in hand, he maintained that the state did not possess the authority to kill its citizens; this right belonged to private individuals alone, and they were permitted to exercise it only in self-defense.[180] The majority of the representatives disagreed, and decided to institute death by beheading. On hearing of this decision, the Paris executioner, Charles Henri Sanson, wrote a memorandum to the justice minister pointing out the technical difficulties involved. Since everyone condemned to death was now subject to the same form of execution, preparations would be needed for mass decapitations and for the likelihood that many of the criminals would fail to show aristocratic calm in the face of impending death. "It is therefore indispensable," Sanson wrote, "to find some means by which the condemned man can be secured so that the issue of the execution cannot be in doubt, and in this way to avoid delay and uncertainty."[181] An official from the Assembly wrote to Guillotin to ask that he "soften a punishment of which the law had not intended to make a cruel ordeal."[182] When Guillotin responded with vague instructions—he was probably hesitant after the earlier treatment he received—the Assembly turned to Dr. Antoine Louis, the permanent secretary of the Academy of Surgery, who immediately suggested the use of a device with a convex blade set at an angle. On March 20, 1792, in an effort to deter acts of sedition, the Assembly passed a decree of emergency commissioning the construction of a machine based on Dr. Louis's recommendations. The

Assembly initially submitted the plans to a local carpenter, but he demanded an exorbitant sum, allegedly because of the "difficulty of finding workers for a task whose purpose they find offensive."[183] The Assembly eventually gave the job to a German piano-maker who was willing to do it for a fraction of the price. Though the Assembly had wanted to call the device the Louisette, after Dr. Louis, the original association stuck. Daniel Arasse writes that Dr. Guillotin "was horrified by the name given to the machine, and carried his 'philanthropy' so far as to provide his friends with tablets of his own making which would give them the option of suicide if ever they were in danger of going to the guillotine."[184] Guillotin had apparently developed second thoughts about the humaneness of the method.

The guillotine made death an egalitarian matter and by doing so demystified it, allowing the executioner to emerge from his marginalized social niche and become a state civil servant. Yet Guillotin's concerns proved justified. Over a four-month span during the Reign of Terror daily executions quickly rose from five to thirty-eight, the guillotine often surrounded by a pool of blood.[185] At first, the beheadings were a cause for celebration; soon they became routine.[186] All this is common knowledge; what is interesting is how Robespierre, the erstwhile opponent of the death penalty, came to legitimize it all. The key lay in seeing the guillotine as a political instrument instead of a penal one. Whereas deputies in the National Convention debated how to sentence the former Louis XVI for collusion with foreign courts, Robespierre spoke out against the very idea of a trial:

> Citizens, the Assembly has been led, without realizing it, from the real question. There is no trial to be held here. Louis is not a defendant. You are not judges. You are not, you cannot be anything but statesmen and representatives of the nation. You have no sentence to pronounce for or against a man, but a measure of public salvation to implement, an act of national providence to perform.... Proposing to put Louis on trial, in whatever way that could be done, would be to regress towards royal and constitutional despotism; it is a counter-revolutionary idea, for it means putting the revolution itself in contention. In fact, if Louis can still be put on trial, then he can be acquitted; he may be innocent; what am I saying! He is presumed to be so until he has been tried. If Louis is acquitted, if Louis can be presumed innocent, what becomes of the revolution? If Louis is innocent, then all defenders of liberty become slanderers.... The people of Paris, all the patriots of the French empire, are guilty."[187]

This was December 1792. The next year, speaking on the principles of revolutionary government, Robespierre stated that the goal of the revolution was to

establish a "system of liberty victorious and at peace" that would "direct the moral and physical forces of the nation." The revolution itself, by contrast, "is the war of liberty against its enemies.... It is subject to less uniform and less rigorous rules because the circumstances in which it exists are stormy and shifting.... Revolutionary government owes good citizens full national protection; to enemies of the people it owes nothing but death."[188] In a speech on February 5, 1794, Robespierre reaffirmed the distinction. "In calm waters," he argued, the democratic government must be "trust[ing] towards the people and severe towards itself," guided by virtue as its "fundamental principle."[189] When the "tempest rages" and the revolutionary government is at war, this principle no longer applies:

> If the mainspring of popular government in peacetime is virtue, amid revolution it is at the same time virtue and *terror*: virtue, without which terror is fatal; terror, without which virtue is impotent. Terror is nothing but prompt, severe, inflexible justice; it is therefore an emanation of virtue.... It has been said that terror was the mainspring of despotic government.... The government of the revolution is the despotism of liberty against tyranny.[190]

Robespierre believed that every form of violence was legitimate in the battle against those who sought to destroy the freedom and equality achieved by the revolution: the enemies of the people, the repatriated emigrants, the speculators, the foreign agents, all those who "prowl about us," "overhear our secrets," "flatter our passions," and "seek to influence us even in our opinions."[191]

Robespierre's language contained the basic features that would come to characterize twentieth-century revolutionary rhetoric: the state of emergency, the oppression in the name of freedom, the war to win the peace, the ubiquitous traitors threatening the revolution, the necessity of mass arrest and mass murder. In this world, terror was merely the instrumental elimination of liberty's enemies, nothing more. The hate of revolution was supposed to express itself only in the permanent removal of its opponents, not in their torment. The reality—the spectacle of the guillotine, the increasing brutality of the crowd, the pleasure onlookers took in watching stray dogs lap up the blood, the executioner who slapped the face of Charlotte Corday after her beheading—demonstrated the patent absurdity of this claim. Still, the language of revolution remained what it was: a rhetoric of legitimation. When the revolution's public prosecutor, Antoine Quentin Fouquier-Tinville, found himself in jail awaiting execution, he wrote to his wife, "I die for my country, without reproach, I am satisfied; later, my innocence will be recognized."[192] *The conviction that the terror of the revolution was categorically different from the cruelty*

*of the Ancien Régime permitted violence legitimized as instrumental and locative
to descend into an orgy of autotelic destruction.*

• • •

A few years after the arrival of Fidel Castro's guerrillas in Havana and the col-
lapse of the Batista regime in Cuba, Comandante Ernesto "Che" Guevara pub-
lished *Episodes of the Cuban Revolutionary War*, an account of his experiences
during the insurgency in the sierra. One incident, though minor, perfectly en-
capsulates the revolutionary morality. Guevara's guerillas were in pursuit of
government troops when they discovered that the puppy they kept at camp
had tagged along. They tried to chase it away, but the little dog kept returning
and, to make matters worse, eventually started to howl. After repeated at-
tempts at consoling the animal failed, Guevara ordered it killed. The soldier in
charge of the puppy's care, a man named Félix, looked at Che "with eyes that
said nothing." The solider then "took out a rope, wrapped it around the ani-
mal's neck, and began to tighten it. . . . With one last nervous twitch, the puppy
stopped moving. There it lay, sprawled out, its little head spread over the
twigs."[193] The issue here is not what people feel compelled to do in times of war
but the terms in which they speak about it afterward. What message did a man
just named "Chief of the Department of Training of the Revolutionary Armed
Forces," a man responsible for purging the army ranks, for punishing the crimes
of the toppled regime, for dealing with traitors, want to propagate among the
people?[194]

   Because the leadership of the Batista regime had fled or taken refuge in
embassies early on, those whose fate Guevara decided as "supreme prosecutor"
were mostly minor henchmen and prisoners of war. Some reports indicate that
Guevara was lenient, only imposing the death penalty in serious cases and tak-
ing steps to ensure that victims of torture did not judge their tormentors. But
there were also instances of arbitrary execution. Castro's brother Raúl, for in-
stance, ordered the execution of seventy prisoners of war and had them buried
in a mass grave.[195] Though Guevara was not directly responsible, it showed the
warlike nature of the revolution even after Fidel had come to power. The purge
in the country was the continuation of the conflict in the sierra. Guevara, speak-
ing like Robespierre before the Convention, made it clear that annihilation of
the enemy was the goal. In one letter, he wrote, "The executions by firing squads
are not only a necessity for the people of Cuba, but also an imposition by the
people."[196] When a doctor friend asked him about his role in the executions,
Che told him, "Look, in this thing you have to kill before they kill you."[197] At
an event sponsored by the Communist Party of Cuba Guevara said: "[U]nder-
stand well that this liquidation is not done out of vengeance or even merely a

spirit of justice, but because of the need to ensure that all these people's goals can be achieved in the least amount of time.... The entire Cuban nation should become a guerrilla army."[198] The principle of killing your enemies before your enemies kill you would remain a cornerstone of Guevara's political thought. When his politics failed, he waged guerilla war elsewhere, first in Africa and then in Bolivia. By envisioning a society based on the model of a ruthless and lawless army, he destroyed the notion of civility itself. Like Robespierre, Guevara professed to despotism, and like General Ludendorff, he loved the planned economy. "Who has the right to say that only 10 lawyers should graduate per year and that 100 industrial chemists should graduate?" Guevara asked in a speech at the university in Santiago. "[Some would say that] that is dictatorship, and all right: it is dictatorship."[199] Again and again, he warned about traitors—invariably, anyone who showed insufficient zeal for the cause—and the threat they posed to the revolution. As Guevara stumbled through the Bolivian jungle, ragged and grim, in search of volunteers among peasants who could barely eke out an existence and who had nothing to gain from revolution except quick death, the man Wolf Biermann called "Jesus with a gun" took to terror. In his diary Guevara wrote, "The peasant base has not yet been developed although it appears through planned terror we can neutralize some of them; support will come later. Not one [Bolivian] enlistment has been obtained."[200] Guevara's private impressions of the Bolivian disaster divulged what the articles in the revolutionary publications passed over in silence: it wasn't just Batista's army that harassed and terrorized the people; so did the revolution's guerillas. The truth is that few are willing to risk their lives for an uncertain future, and most are willing, or believe they are willing, to accept the regime that oppresses them. They do not expect the armed man in tatters who appears at the door to be a messiah. Before considering cooperation, they must be convinced that this messiah can be as great a devil as the one they know. This strategy worked well for the revolutionaries of Cuba. In Bolivia, by contrast, an informer ratted out Guevara's ragtag band to the CIA-trained military.

It is impossible to say whether Guevara's love for violence and death was what sent him to war or whether he acquired that love through warfare. In all likelihood he, like most people, sought out an environment in which to develop his talents; he just happened to find his in revolution. His actions put his medical training in a different light. An execution he described with pathos in public received, in his diary, cold and clinical treatment, including a description of how he robbed the body. The constant cry of "Viva la muerte!" ended in the fantasy of an international war through which humanity was to emerge reborn.

RELEGITIMATION (2): THE RHETORIC
OF ESCHATOLOGICAL PURGE

> In September I fed the young brood of the revolution with the dismembered bodies
> of the nobility. My voice forged weapons for the people from the gold of the aristos
> and the rich. My voice was the hurricane that drowned the lackeys of despotism in
> a tidal wave of bayonets.
>
> —GEORG BÜCHNER, *DANTON'S DEATH*

The modern revolution has much in common with the nation: both are places of belonging in the sense of a *Heimat*; both cultivate zealousness; both increase self-worth through participation; both find augmented form in military force. Both, moreover, are perpetually in a state of *not yet*, the nation ever in pursuit of its territorial wholeness or collective homogeneity, and the revolution ever in pursuit of its complete realization. This commonality lends itself to amalgamation. The Third Estate declared itself the National Assembly and made the revolution a national matter. Stalin promulgated the Soviet Union as the socialistic fatherland, and its defense became the duty of every revolutionary. But amalgamation is not inevitable. Revolution can also assume an international mission in which fighting for the nation becomes an act of treason. In either case, the claim of revolution is total, just like that of the *Volksgemeinschaft*. It categorizes people as comrades or enemies, true revolutionaries or traitors, those who belong or those who do not, and erects an iron barricade between them.

In *Danton's Death*, Robespierre formulates the credo of revolution thus:

> I tell you, whoever holds my arm back when I draw the sword is my enemy. His motives are beside the point. He who hinders me in my self-defence kills me, as surely as if he had attacked himself....
>
> ... The social revolution is not yet accomplished. To carry out a revolution by halves is to dig your own grave. The society of the privileged is not yet dead. The robust strength of the people must replace this utterly effete class. Vice must be punished, virtue must rule through the Terror.[201]

Robespierre was initially against the death penalty; Lenin couldn't imagine revolution without it. When he was told that the Second Soviet Congress had passed a resolution to abolish execution, he erupted: "Nonsense, how can you make a revolution without firing squads? Do you expect to dispose of your enemies by disarming yourself?"[202] In the rhetoric of the civilizing mission, the

enemy is the barbarian; in the rhetoric of eschatological purge, the enemy is the person on account of whom the revolution has not (yet) reached its goal. The enemy, in other words, is the traitor, though the words are not what's operative here. Fouquier-Tinville and the Bolshevist denouncers and executioners also spoke of vermin, yet this term was not constitutive for them in the way it was for the language of genocide, as I argue in the next section. In the rhetoric of eschatological purge, *traitor* is so broadly defined that no one can ever be certain he or she is not one. To be sure, revolutions have always had clear concepts of enemy: the aristocrats, the bourgeois, the kulaks. But who were these people, really? Being identified as a kulak was enough to get one killed. Affluence was supposed to be a clue, but who at the end of the 1920s could be considered an affluent farmer? The starrveling who hid his goat from plundering soldiers could be shot as a kulak, regardless whether the troops were following government orders or merely their own impulses. Conversely, the bourgeois or aristocrat could side with the revolution, as when the Duc d'Orléans supported the French Revolution under the name Philippe Égalité.

Another difficulty with the concept of enemy was that once the revolution has come to power and civil war has come to an end, the enemy vanishes, at least in principle. At this point, all the revolution must do is implement the measures for whose sake it was undertaken. To maintain an "enemy," the revolution must introduce the idea of the traitor who prevents the realization of its goals. This can be the traditional class enemy in the form of a clandestine saboteur, or it can be the corrupt and weak-spirited comrade. *The rhetoric of eschatological purge identifies anyone who prevents the revolution from flourishing as an enemy. The enemy is the traitor to the revolutionary cause that has now become a universal cause of the nation, or of all humanity.*

Along with the old enemies—the remaining intractable aristocrats and bourgeois—new ones emerge from the revolutionaries' own ranks. People like Danton, Hébert, Trotsky, Bukharin, or Tukhachevsky. During the Kampuchean Revolution, the Khmer Rouge first executed the representatives and beneficiaries of the old regime: intellectuals, teachers, independent professionals, students, the bourgeois, high-ranking Buddhist clerics, and members of ethnic and religious minorities. Next it erected camps for domestic enemies. Twenty thousand people were murdered at the Tuol Sleng camp alone.[203] The camp records show that the victims from 1976 were mostly relatives of leaders in the former regime; the victims from 1977 were students and diplomats enticed back with false promises just so they could be killed; the victims from 1978 were members of the new regime. This is not a unique feature of the Kampuchean Revolution, though it was bizarre in many ways. No politically successful revolution has refrained from savaging its own. Revolutions tend to per-

sonalize, even when contrary to the ideology they profess. It might be true that Lenin found the cult of personality surrounding him unpleasant, but he was partly responsible for it. The revolutionary terror, the constant search for saboteurs and traitors, suited his personality. Creating a revolutionary group requires constant differentiation between reliable and unreliable comrades and a hysterical approach that knows only victory, defeat, or a party split in which the dissenters are necessarily seen as traitors. Political deviation is not a sign of a difference in opinion but of moral corruption. In the world of eschatological purge, everything is clear. Those who deviate do so from base motives. This is how Robespierre spoke of Danton, how Marx spoke of Bakunin, how Lenin spoke of Plekhanov, how Trotsky spoke of opposition on the Left, how Stalin spoke of Trotsky, how Mao Zedong spoke of Deng Xiaoping, and so on. The power of this rhetoric destroys all who make use of it, possibly because it is of a piece with the tendency toward autotelic violence in revolutionary terror. From the revolution's perspective, all terror is justified instrumentally as locative violence. Traitors must be removed from the revolution's path. *When it comes to the goals of the revolution, the present is a single zone of permitted and mandated violence, which is why all those who do not fulfill their quota of violence become traitors to the cause.*

Lenin's outbursts are telling in this regard. As Kamenev was arguing in favor of stronger regulation for the state's executive authority, Lenin interrupted him: "Bandits should be shot on the spot. The speed and *force* of the repressions should be intensified.... The Civil Code ... [should enshrine] the essence and justification of terror."[204] The law was to institutionalize the arbitrary violence of state action, making violence an imperative. Those with no muscle to flex do not defend the revolution as well as they could and hence must. Once the atmosphere of revolutionary terror is established, violence loses its instrumental logic. The shift finds expression in the pleasure and eschatological emphasis with which leaders of the revolution speak of violence. Though many associate the shift with Stalin, we find it already in Lenin. An August 1918 telegram contained the following:

Comrades! The insurrection of five kulak districts should be *pitilessly* suppressed. The interests of the *whole* revolution require this because "the last decisive battle" with the kulaks is now under way *everywhere*. An example must be demonstrated.

1. Hang (and make sure that the hanging takes place *in full view of the people*) *no fewer than one hundred* known kulaks, rich men, bloodsuckers.
2. Publish their names.
3. Seize *all* their grain from them.

4. Designate hostages in accordance with yesterday's telegram. Do it in such a fashion that for hundreds of kilometres around the people might see, tremble, know, about: *they are strangling* and will strangle to death the bloodsucking kulaks.

Telegraph receipt and *implementation*.
Yours, Lenin
Find some truly hard people.[205]

Later he specified the terror to be implemented:

It is devilishly important to finish off Yudenich (precisely to finish him off … give him a thorough beating). If the offensive [by him] has started, isn't it possible to mobilise 20 thousand Petrograd workers plus 10 thousand bourgeois, place artillery behind them, shoot several hundred and achieve a real mass impact on Yudenich?[206]

In a note to Trotsky's deputy, Lenin wrote:

A beautiful plan. Finish it off together with Dzierzynski. Disguised as "Greens" (we'll heap the blame on them afterwards) we'll advance 10-20 versts and hang the kulaks, priests, landed gentry. 100,000 rubles prize for each one of them that is hanged.[207]

These passages give us an intimation of Stalin's subsequent execution quotas, issued for each city and province, which forwent all pretense of retaliation for actual acts of treason or sabotage. Such quotas were only apparently absurd, though. Once belief took hold that the success and failure of the revolution depended on killing every traitor and that every hesitation to kill for the revolution undercut the revolution, murder became the political form of life. In this atmosphere, there was no better way to demonstrate one's engagement for the revolution and one's departure from prerevolutionary morality than to take part zealously in denunciation and persecution.

Harmless-seeming lines from Brecht's *Saint Joan of the Stockyards* (1931)—"Take care that when you leave the world / you were not only good but are leaving / a good world!"[208]—show their true face in his *The Measures Taken* (1930), whose only purpose is to teach the logic and rhetoric of eschatological purge:

Change the World: It Needs It
With whom would the just man not sit

To help justice?
What medicine is too bitter
For the man who's dying?
What vileness should you not suffer to
Annihilate vileness?
.   .   .   .
Sink in filth
Embrace the butcher, but
Change the world: It needs it![209]

In Brecht's play, those who aren't willing to give up their morals for the cause are shot and cast into a lime pit. Any insistence on moral standards not in keeping with the apparent utilitarianism of the revolution is a betrayal. *In the rhetoric of ideological purge, so-called bourgeois morality—just another name for the aversion to violence that is modernity's hallmark—is an object of hate.* It is a credo of all violent revolutions that the aversion to violence only has one meaning: to keep the repressed from becoming violent. In this sense, every revolutionary who counsels moderation is a traitor to the revolution. Read again the sentences of Büchner's Robespierre; or think of the famous words Lenin uttered after listening to Beethoven's "Appassionata":

> What wonderful, almost superhuman music! I always think with pride—perhaps it is naïve of me—what marvelous things human beings can do.… But I can't listen to music too often. It works on my nerves so that I would rather talk foolishness and stroke the heads of people who live in this filthy hell and can still create such beauty. But now is not the time to stroke heads—you might get your hand bitten off. We must hit people mercilessly on the head, even when we are ideally against any violence between men.[210]

As all these examples show, the rhetoric of eschatological purge not only turns violence into a permitted and mandated means of action; it makes violence a virtue in itself. Yet violence remains a virtue only so long as the revolution has *not yet* achieved final victory. The revolutionary utopia—a society of equality and peace—is predicated on the belief that criminality is a vice of prerevolutionary society and that once the enemies are defeated political violence will no longer be needed and there will be nothing more to stop the revolution from achieving its aims. However much reality contradicts this belief, it is something the rhetoric of eschatological purge shares with modernity.

RELEGITIMATION (3): THE RHETORIC
OF GENOCIDE

In modernity there exists a third rhetoric of relegitimation, what I call the rhetoric of genocide. This rhetoric does not accompany every instance of genocide. Colonizers, for instance, justified mass murder using the rhetoric of the civilizing mission. What defines the rhetoric of genocide is its enemy: vermin. Unlike the enemy of the eschatological purge, the enemy of genocide is not something one can become but something one is from birth. And unlike the objective of the eschatological purge, which claims to seek a greater good (though fails in practice), the objective of genocide only knows annihilation as its final solution. This represents a clear break from modernity. For the rhetoric of genocide, violence is not a present exception to be overcome but the norm. The *Volksgemeinschaft* originates in violence and exists in a war of annihilation against the ethnic other.

Every German who took part in planning the invasion of the Soviet Union knew that it was not to be a war in the traditional sense. Despite the ideological differences among the planners—some were staunch Nazis, others were nonpolitical military men, still others were doubtful about the chances of success—all were in agreement that the war would be waged with methods that had little to do with the standards established by modernity. German leaders sought to legitimize Operation Barbarossa even before it began. In March 1941 Hitler appeared before the Wehrmacht generals to galvanize support for the invasion. He argued that unlike war in the West, Operation Barbarossa was first and foremost a political war of "two conflicting world views." It was a war whose goal was "to destroy the Bolshevist commissaries and the Communist intelligentsia," crushing the Russian Revolution of 1917 like the German Revolution of 1918. At the core of Hitler's argument lay the dismantling of norms. "We have to distance ourselves from the soldierly camaraderie. The Communist is not a comrade.... This is a war of annihilation."[211]

Already before Hitler's speech, the High Command of the Wehrmacht had determined that "in view of the vastness of the territory" "defeating the enemy's army" would not suffice for victory. Implied but not stated was the necessity of mass murder of much of the civilian population. In the plans for Operation Barbarossa, General Rich Hoepner used the language of civilizing mission, speaking of the "defense of European culture against the Muscovite-Asian flood." He also spoke of the Communist intelligentsia, "Jewish Bolshevism," and the "old battle of the Germans against the Slavs." All along, he emphasized the necessity of unprecedented severity: "Every military action must be accompa-

nied in planning and execution by the iron will to achieve the merciless … annihilation of the enemy."[212] Hoepner's plans set out the terms of a postmodern war. It was no longer about a contest of two nations, each affording the other basic rights, but of born enemies. The political system of the enemy was just another expression of his ethnicity and race. This made the planned war into a planned genocide, though not everyone who read Hoepner's words would have grasped their consequences. This is why, as I mention earlier, some officers showed resistance only after the real war aims became irrefutably manifest.

The association of the Jews with politics and resistance formed a core part of the genocidal war. The command of the German Seventeenth Army intentionally tried to initiate antisemitic riots.[213] One poster distributed by Wehrmacht soldiers in the East displayed a commissary with the stereotypical facial features of antisemitic caricature. It called for regime opponents to carry out pogroms against the "Jews and Their Accomplices: The Communists."[214] In October 1941 a commandant in White Ruthenia wrote:

> As the spiritual leaders and sponsors of Bolshevism and the communist idea, the Jews are our mortal enemies. They must be annihilated. Wherever reports of sabotage, demagoguery, resistance, etc. forced us to take action, Jews turned out to be initiators, backers and, in most cases, the very perpetrators. There is hardly a German soldier who doubts that the Jews would have annihilated everything German had a Bolshevist invasion in Europe succeeded. It is all the more incomprehensible that a group of troops that shot and killed seven Jews during a patrol can still ask why. When an act of sabotage is carried out in a village and soldiers annihilate all its Jews they can be certain they have exterminated the actors or at least the architects.… Here there are no compromises, only a clear solution: the complete annihilation of our enemies.[215]

This belief manifested itself first in Germany and Austria, through disenfranchisement, harassment, and the occasional murder; then in Poland, through deportation and isolated instances of mass execution; and finally everywhere, through the German Wehrmacht's war of annihilation.[216] *The rhetoric of genocide broke with modernity by making violence the guiding principle of the* Volksgemeinschaft.

Interestingly, this rhetoric rarely appears undisguised. Military leaders did not compel solders to execute civilians and were often hesitant to acknowledge to themselves the violence they had ordered.[217] The bureaucratic language in which acts of mass murder were communicated was less camouflage—the only ones who could possibly decipher it already knew its meaning—than the reluctance to cast off the restraints of modern civilization. After seeing the look

of men who had just performed an execution, the police chief Erich von dem Bach-Zelewski, an upper-level SS officer, claims to have asked Himmler, "What kind of followers are we training here? Either neurotics or savages?[218] This worry can be taken seriously; other Nazi officials shared it too. No less serious was Himmler's famous speech in Poznan, in which he said that the murderers "remained upstanding" and called the executions "a glorious chapter" that "may never be mentioned."[219] Himmler said *never* but meant *not yet. The rhetoric of genocide culminates in the idealization of violence for its own sake—the canonization of autotelic violence.*

The rhetoric of genocide does not simply lead to genocide. It accustoms people to the idea before it becomes reality. One example of the rhetoric of genocide at work occurred as part of a Nazi scheme to relocate Jews to Madagascar—the so-called Madagascar Plan.[220] The Nazis were not the first to propose the idea; the governments of France, Britain, and Poland had toyed with similar plans. Christopher K. Browning writes: "The Poles ... sent a three-man investigating team (the Lepecky commission) to study the feasibility of relocating Polish Jews there. [The team] concluded that 5,000–7,000 families could be settled on Madagascar, although the more optimistic of the two Jewish members of the commission thought a mere 500 families was the maximum." Browning then dryly observes, "If such a fantastic idea was seductive even to the French and the Poles, obviously it could not escape attention in Germany."[221] Fantastic indeed: debate continues today about whether the plan was ever serious or just a Nazi ploy to deceive the Jews and the international public about the true nature of the genocide.[222] It is true that the Nazis never came close to realizing the plan; it wasn't supposed to be implemented until after they won the war. But the plan was no mere flight of fancy, either. Germans went so far as to think about the number of Jews to be deported, the population density on the island, the legal status of the colony, the duration of the deportation, the international reaction, and so forth.[223]

The Madagascar Plan was one of several ideas devised by Germans to deport European Jews. In 1939 Heydrich spoke of a "Jewish reservation" in Poland, and Eichmann was sent to scout out possible locations in the area around Lublin. There, David Cesarani writes, Eichmann "hit upon a tiny village called Nisko on the river San, an insignificant settlement in sparsely populated wetland which was conveniently near a railroad."[224] Several thousand Jews were relocated outside the village before the project was put on ice. Conditions in Nisko, as the Nazis knew, were not suited for the settlement of many thousands. In Madagascar they were even less suited for the settlement of many millions. Michael Wildt correctly points out that the Madagascar Plan "already

contained … an exterminatory dimension, since the planners were well aware that the island offered little chance of survival for the millions of people who were supposed to be deported there."[225] Nevertheless, talk of the plan stopped short of indulgence in murderous fantasy. In May 1940 Himmler wrote that the "Bolshevist method of physical extermination" is "too un-German, too impossible."[226] For a political leadership not yet set on genocide, a plan resulting in de facto mass death may have seemed fantastic. But it was everything but fantastic when one considers its role in helping German leaders believe in their own rhetoric of genocide.[227]

Julius Streicher defended himself in Nuremberg by arguing that his violent antisemitic rhetoric was not meant literally.[228] This was how antisemites spoke, he said, and many had done so before him without being accused of inciting murder. This defense was not entirely implausible. Streicher had not taken part directly in mass murder and it's not clear how much he knew about what was happening. The question whether the genocide was the result of cumulative radicalization misunderstands the issue, however. Yes, genocide would have been inconceivable without the antisemitic rhetoric that was an integral component of National Socialism. But genocide was not just the implementation of this rhetoric. *The speakers of the rhetoric of genocide first came to believe their own words.* One can't accuse a powerless agitator of having planned a genocide. But what about when the agitator suddenly receives political power and his violent rhetoric becomes reality? Is the rhetoric then part of the plan?

A common antisemitic argument is that Jews live from the work of others, which is why they must be forced to make an honest living. During the late-nineteenth-century Berlin Antisemitism controversy Wilhelm Endner had this to say:

> We would have nothing against Jews of Berlin—those on Victoriastraße as well as those on Königstraße—if they moved out and settled in, for instance, the Tuchola Forest or the Lüneburg Heath, if Cohn would guide the plow, Abrahamsohn would take the flail, if Breßlauer became a tar distiller and Danziger a peat cutter, if Veilchenfeld carpentered, if Rosenbaum laid brick, if Lilienthal worked on the road, if Löwe, Wolff, Bär, and Hirsch operated the pile driver, etc.[229]

The message was clear: let's see if the lazy bums get the hint. In Nisko the Jews had no other choice. Eichmann's welcoming speech to deportees continued Endner's tirade: "If you carry out the construction you will have a roof over your head. There is no water. Wells in the whole area are infested; cholera,

dysentery, and typhoid are rampant. If you start digging and find water, then you will have water."[230]

Madagascar would have been Nisko writ large. Indeed, as Browning writes, "[T]he Madagascar Plan was an important psychological step on the road to the Final Solution."[231] But it was also the Final Solution's imagined anticipation. Everyone who understood the Madagascar Plan knew that it would result in millions of deaths.[232] The antisemitic fantasies of deportation had always also been fantasies of murder in which Jews waste away in inhospitable places. When Eichmann, Streicher, Heydrich, Himmler, Göring, Rosenberg, Ribbentrop, and other Nazi leaders considered the Madagascar Plan they were imagining their way into large-scale murder. It put them on the path to taking themselves and their words seriously, and it prepared them for departure from modern civilization.

MODERNITY AND ITS DISCONTENTS

In 1932 Albert Einstein wrote Freud to ask whether there was "any way of delivering mankind from the menace of war." Freud began his response by posing a question in return: "Why do you and I and so many other people rebel so violently against war? Why do we not accept it as another of the many painful calamities of life?"[233] The question is provocative because it questions that which we hold to be self-evident. The answer Freud provided was equally vexatious: the self-evident is historically contingent. "It is my opinion," Freud wrote,

> that the main reason why we rebel against war is that we cannot help doing so. We are pacifists because we are obliged to be for organic reasons. And we then find no difficulty in producing arguments to justify our attitude.
>
> No doubt this requires some explanation. My belief is this. For incalculable ages mankind has been passing through a process of evolution of culture. (Some people, I know, prefer to use the term "civilisation.") We owe to that process the best of what we have become, as well as a good part of what we suffer from.... Of the psychological characteristics of civilisation two appear to be the most important: a strengthening of the intellect, which is beginning to govern instinctual life, and an internalisation of the aggressive impulses, with all its consequent advantages and perils. Now war is in the crassest opposition to the psychical attitude imposed on us by the process of civilisation, and for that reason we are bound to rebel against it; we simply cannot any longer put up with it. This is not merely an intellectual and emotional repudiation; we pacifists have a constitutional intolerance of war, an idiosyncrasy magnified, as it were, to the highest degree.[234]

What Freud described here as an achievement of civilization is the result of modernity's aversion to violence. This aversion to violence never permeated culture to the extent that violent excesses became impossible, of course. Two years earlier, in *Civilization and Its Discontents,* Freud argued against the tradition he once championed according to which violence derives from sexuality: "I can no longer understand how we can have overlooked the ubiquity of non-erotic aggressivity and destructiveness and can have failed to give it its due place in our interpretation of life."[235] Roughly speaking, Freud's argument is this: human beings have an inborn inclination to aggression, but if this natural inclination to aggression were the last word, human beings would perish.[236] To this extent, Freud stood in the tradition of Hobbes, and not of Rousseau, the latter of whom believed humans could live peacefully and happily on a diet of acorns. Unlike Hobbes, though, Freud rejected the idea that rational insight enables humans to control their aggression. For that, aggression requires a counterweight in the form of emotional ties: Eros against Thanatos, libido against destrudo. But Freud also believed that Eros and libido rarely suffice to restrain Thanatos and destrudo. Instead, the latter must be turned inward in the service of the former (lovers, family, friends, country), where it lives on as self-control and guilt—the internalized demands of civilization.[237] Like a neurotic's hypertrophied superego, these demands tend to overwhelm us, forcing us to direct our aggression outward again. The call "to love thy neighbor as thyself" can apply to a sharply defined sense of neighbor, such as the community or the nation, but as a universal principle it asks too much, and we must channel the destructive energy elsewhere.

Civilization and Its Discontents offered sardonic insight that would turn out regrettably prescient:

> It is clearly not easy for men to give up the satisfaction of this inclination to aggression. They do not feel comfortable without it.... It is always possible to bind together a considerable number of people in love, so long as there are other people left over to receive the manifestations of their aggressiveness.... In this respect the Jewish people, scattered everywhere, have rendered most useful services to the civilizations of the countries that have been their hosts; but unfortunately all the massacres of the Jews in the Middle Ages did not suffice to make that period more peaceful and secure for their Christian fellows. When once the Apostle Paul had posited universal love between men as the foundation of his Christian community, extreme intolerance, part of Christendom towards those who remained outside it became the inevitable consequence.... Neither was it an unaccountable chance that the dream of a Germanic world-dominion called for anti-Semitism as its complement; and it is intelligible that the attempts to establish a new, communist civilization in

Russia should find its psychological support in the persecution of the bourgeois. One only wonders, with concern, what the Soviets will do after they have wiped out their bourgeois.[238]

I cannot accept Freud's view easily, but neither can I ignore it. The issue is not aggression per se. Every animal species requires some form of aggression to survive; as such, the term belongs to the province of biology and behavioral studies. The issue is to what extent a form of civilization understands aggressive manifestations as violent and characterizes them as permitted, prohibited, or mandated. Modernity's aversion to violence is not universal but particular and contingent. Modernity cannot change the fact that humans remain capable of violence and that even its most delegitimized form—the destruction of the another's body—still provides some pleasure of the highest order. What makes modernity modern is that it prohibits autotelic violence and understands it as the exception. To commit it is to throw the demands of modern civilization overboard.

Freud's view that the command to love our neighbor can lead us to commit violence against our neighbor's neighbor finds a parallel in my argument. To protect our culture, we must prevent violence, yet in fulfilling the promise of modernity we must also use violence to keep the violent in check. *For Freud, neighborly love is the inclination to aggression in reverse. Likewise, in modernity, strategies of delegitimizing violence contain a potential for legitimizing violence, which is to say: trust in the absence of violence can reappear as trust in violence.*

CHAPTER 4

Trust in Violence

Grab a club twice as heavy / And strike him dead!
——HEINRICH VON KLEIST, *DIE HERMANNSSCHLACHT*

VIOLENCE—TRUST—POWER:
THE DEVIL AND THE LITTLE BISHOP

If, as the saying goes, dirt is matter in the wrong place, then evil is violence in the wrong place—at the wrong time, on the wrong person, and by the wrong person. The trick is to keep violence within the proper framework. Consider the folktale "Robert the Devil." A duchess, whose prayers for a child go unanswered, calls on Lucifer for assistance, after which she becomes pregnant immediately. All is not well, however. The child is long overdue, and when the woman finally gives birth, her labor is painful and prolonged. The boy, whom she names Robert, is far too developed for a newborn, and his fully grown teeth gnash at the breast that feeds him. As Robert matures, he displays violent proclivities, stabbing to death his teacher and joining a band of rogues who, as Goethe writes in *Faust Part Two*, "plague the people as they please" (9002).[1] Only when his mother turns away from him in fear does Robert realize the error of his ways. He kills his associates, returns the stolen loot to those they robbed, and travels to Rome to seek the pope's counsel. The pope sends Robert to a hermit, who prescribes penance: keep silent, feign madness, and eat nothing save what can be snatched from dogs, until God gives a sign. Robert does as he is told, and after a time finds employment as court fool for the emperor, who, taking pity on him, throws extra scraps to the hounds. Meanwhile, an evil courtier, humiliated after being spurned by the emperor's daughter, conspires with the Saracens against Rome. War breaks out, and during the decisive battle, just as the emperor's army is about to be defeated, Robert receives God's command to exterminate the heathens. Mounted on a white horse and disguised in silver armor, Robert rides into battle, making amends for past evil through violence by divine

dispensation. After the emperor's daughter identifies him as Rome's secret savior, Robert is granted her hand along with half the empire.

The film *The Dirty Dozen* (1967) tells a similar story. It is 1944, and a group of American military convicts are given a choice: to either let justice take its course (some have been sentenced to hard labor; others are on death row) or volunteer for a risky mission behind enemy lines and be pardoned if they succeed. As the movie unfolds, the viewer develops sympathy for the band of thieves and murderers, whose purgatory-like training turns them into a company of combat-ready soldiers. Despite each having a criminal past, only one makes us uneasy: Archer Maggot, who was imprisoned for raping and murdering an Englishwoman and whose psychotic urges end up jeopardizing the entire mission. In the end, only one member of the unit survives.

Violence at the right time and place—when the framework is right and there are clear-cut villains—can be pleasurable. Violence at the wrong time and place is another matter. This violence unsettles us. It is mysterious, not inherently, but, as I argued in the introduction, because we mystify it. Violence at the wrong time and place calls modernity into question while coexisting with it. This coexistence functions so well that, once we experience it first hand, we will never forget its unsettling effect, even after life returns to normal.

In his 1831 novella *Der Hexen-Sabbath* (The Witches' Sabbath), Ludwig Tieck thematizes this vexing potential of violence. It is the time of the late Middle Ages, and the people of Arras believe they have left the horrors of the Inquisition for a more enlightened era. A discussion between a high-ranking clergy official and a wealthy widow illustrates prevailing opinion:

> "The old rule of the clergy is over, and if they don't conform to the world their power will collapse everywhere. The books and stories of Boccaccio, as those by other bright minds, have found acceptance by everyone. Even the farmer laughs at things today that he would have kneeled before in awed reverence thirty years ago...."
>
> "So you believe," said Catharine, "that the terrible darkness, the wild superstition, the inquisitions and the martyrs that we read about in horror whenever we open the old histories can never happen again?"
>
> "Certainly not," said the dean. "Everything that gave rise to error and madness has ended. That sickness of the soul is exhausted ... hence everything our dear old bishop, this puny shrimp, does and wants is only laughable. The most ridiculous trait of his character is his belief that he possesses the finest and most extensive knowledge of human nature."[2]

But it turns out that the dean is wrong about "the terrible darkness" being a thing of the past, and the diminutive bishop he pokes fun at will be the very

one who initiates a new witch hunt in Arras. The bishop succeeds not because the people of Arras really believe in witches or are susceptible to collective hysteria. What Tieck presents is a chilling set of accidental circumstances—intrigue, jealousy, political maneuvering—which result in no one standing up to a man who has clearly gone mad. But the fact that people burn at the stake on the market square represents more than a failure to act. It also requires someone to set in motion the disaster that in retrospect will seem authorless. Someone like the bishop: a person who, with a mere glance, purports to discern conspiracy, sex with the devil, black magic, and other forms of transgressions behind the façade of normality. Tieck's masterful grasp of psychology shows us there is nothing mysterious about such people and the violence they unleash, even if their victims have no clue.

In *Der Hexen-Sabbath* a somewhat eccentric old woman is accused of being a witch and arrested. As the bishop crosses the market square on the way to the interrogation, he overhears two "common whores" talking about the case:

> "Witches! Witches! We have something new for the year. Our bishop makes sure we are having fun, that simple-minded manikin."
>
> The bishop was standing behind them, and waved over to the bailiffs to arrest the strumpets. "Put them in chains, they are witches too, bring them into custody, the stake awaits them."
>
> "Us? Witches?" screamed the whores, horrified. "How? Why?"
>
> The bailiffs grabbed them violently. They screamed and called for help. The tumult became so large and the rush of onlookers so violent that the bishop was prevented from continuing on his way....
>
> At that point a reputable man approached.... He declared that as alderman he had the right to inquire into the cause of the turmoil.... When he heard that the bishop had threatened the women with the stake, he made his way to the little man, greeted him politely, and said, "Honorable sir, I regret finding you here among the clamoring townsfolk on account of those two lewd strumpets. Because they behaved improperly toward you, they ought to be immediately banned form the city, since they only cause trouble. Please, be so good as to tell your servants and the bailiffs to release them for now so that the people calm down."
>
> "Mr. Taket," replied the bishop spitefully, "who gives you the right to interfere with my official business? These young witches have come to the attention of the Inquisition and are to be put to death...."
>
> Taket looked closely at the clergyman and looked again at the crying strumpets, who had thrown themselves at the feet of both men.... In an indignant and strident tone he replied, "Bishop, sir, I doubt your right to proceed in this manner. You are first to instruct the jurymen of these offenses. If your charges are grounded, they

will be handled by our town's authorities.... How do you know that these unhappy women are witches? To what are you referring by this name?[3]

Two things are brought against the bishop's madness: insistence on certain legal norms and doubt about his right to do what he intends to do. The bishop knows that the secular and enlightened authority may foil his plans, so he resorts to threat: nobody, not even the alderman, can escape the Inquisition. Taket is stunned, but he remains persistent:

"I do not understand you, sir, and I do not want to understand you, for your words make no sense.... For the time being, you will hand over the prostitutes to the town authorities and me until they are questioned. You are to stop playing both accuser and judge. It is outrageous for the foolish to accuse innocent people of a terrible evil and punish them without an investigation."[4]

After the alderman's speech, the crowd rises up against the bishop. Stones are thrown and the prostitutes are freed. But then the bishop calls out:

"Anyone who assaults officials shall be banished from the Church. Anyone who does not immediately cease this evil work shall be cursed."
        —Everything became quiet and the bailiffs returned and took possession of the prostitutes again. The officials who had followed the alderman stood there motionless. The bishop waved again and continued with increased force. "First, I order that the bailiffs seize this malicious heretic and sorcerer Johann Taket, who sought to cause a commotion here. The sorceress Elsbeth named him as a member in her satanic coven."
        Everyone stood silent and pale. The alderman looked for the justice officials, but they had withdrawn in fear.... "Citizens and other valiant people here," exclaimed Taket in exasperation, "can you tolerate that a man that you all know as beyond reproach is mishandled by this madness? That I should be condemned as a sorcerer in league with Satan on the basis of an accusation made by a mad beggar woman who has lived off my charity?"
        He looked around, but everyone had shied away ... all gripped by silent fear, and he too grew quiet as he realized that resistance was futile. The bailiffs then proceeded to lead him to the Inquisition.[5]

Jewish veterans of World War I reacted with similar disbelief after 1933. It's the reaction of anyone who realizes there are those who can turn the world on its head from one day to the next. How? Tieck's novella contains the open secret: "'I know,' said the bishop to the dean, 'that you regarded me as a weak

man.... Look at my strength and power now. People and their rules mean nothing to me.'"[6] It is no surprise that the townsfolk lose their courage after the alderman's arrest. But those accustomed to mystification will ask, why is Taket arrested? Why does no one resist? How do the bishop's words solve the mystery?

As I discuss in chapter 2, Popitz believes that power depends on the "suggestive power of acquiescence" and on the "incredible contagiousness" of "a strong conviction that something is right and proper."[7] The contagion works by way of anticipation: the sense that the model of legitimation sought by the one making the power grab has already obtained. This anticipation is why the bishop can take control despite the townspeople of Arras, who, together, are much stronger, or would be, that is, if they'd only attend to their own strength in numbers. But attending to their own strength in numbers would presuppose a loss of trust in a social order whose members needn't attend to their own strength in numbers. Either way, the trust they've come to know disintegrates. The social order of Arras collapses when someone pulls the bottom-most soup can from the pile, so to speak. The crisis may be imaginary—the bottom-most can of soup may still be in place—but because everyone believes otherwise a new truth materializes that subverts previous relations. *Trust requires practices that keep it stable. If trust is destabilized by violence, then we learn to trust in the violent practices that destabilized it. From this, a new stability emerges: trust in violence.*

AUSCHWITZ—GULAG—HIROSHIMA

Those looking to give a name to the violent excesses of the twentieth century usually speak of "Auschwitz," the "Gulag," or "Hiroshima." But why not "Verdun" as well? It's a pertinent question, for without World War I, the success of National Socialism and Bolshevism would have been inconceivable. As I noted, Helmuth von Moltke, in 1890, spoke of a new war that would last years, perhaps decades. Yet the idea of intentionally prolonging a battle to eliminate an entire generation of people was something new, and it made what Kraus called the *Feldgrauen*, the horror of the battlefield, seem quaint.[8] Mind you, we are talking not about reality, not about what individuals have to endure to survive, not about demographic effects, but about the repercussions for trust in modernity, which in World War I was damaged beyond what the classical coping strategies of temporalization and spatialization could handle. Just think of the title of Kraus's *The Last Days of Mankind*. Or this passage from Freud's "Thoughts for the Times on War and Death": "[T]he disappointment

[of the war] … consists in the destruction of an illusion. We welcome illusions because they spare us unpleasurable feelings, and enable us to enjoy satisfactions instead. We must not complain, then, if now and again they come into collision with some portion of reality, and are shattered against it."[9] "In reality," Freud summarizes near the end, "our fellow citizens have not sunk so low as we feared, because they had never risen so high as we believed."[10] But in his pointed emphasis, Freud describes something decisive: the emergence of something new. Kraus does too. *The Last Days of Mankind* constructs a kind of vanishing perspective in which the German soldier gradually reveals a nightmare never seen before. The year 1933 marked the onset of the shock that the eloquence of literature had failed to prevent the nightmare's repetition. Kraus had opted for eloquent silence in 1914, but reality eventually overtook him. In 1920, a year after *The Last Days of Mankind* first appeared, he wrote "*Die allerletzten Tage der Menschheit*" (The Very Last Days of Mankind), a commentary on the looting of those killed in a train accident.[11] A 1924 report, "*Die Welt nach dem Krieg*" (The World after the War), describes the rounding up and gassing of stray cats. "Of course," Kraus notes sarcastically, "why should the cats of Budweis have it better than people in war?"[12] Those who read the piece today will be reminded of more than World War I.

That the Great War does not stand out in today's consciousness as the civilizational shock some contemporary writers experienced owes itself to the intervening atrocities. But it also rests on a certain misconception. I picked Verdun because the battle epitomizes what we associate with that war: mass death in the trenches for a few meters of ground gained.[13] Now, it is true that the trench warfare of World War I, despite the thousands dead and the tanks and the poison gas, was conventional insofar as its violence took place on the battlefield.[14] But—and here lies the misconception—the war was not always and everywhere so conventional. Consider the German army's rampage through Belgium and the massacres at Tamines, Leuven, and Dinant. The historical records leave much in the dark about these events, but the idea that they arose from mere recklessness—the least unflattering interpretation from Germany's perspective—is not accurate; they also contained a destructive fury, unmitigated by fear of attacks by the partisan Francs-tireurs.[15] Or consider the actions of the Freikorps during Germany's withdrawal from the Baltic. The minister of the Reichswehr, Social Democrat Gustav Noske, aptly called the leaders of the marauding bands—originally conceived as death squads to suppress the revolutionary Left—"little Wallensteins."[16] Ernst von Salomon, a participant in this orgy of murder and destruction, recalled the basic mood: "We did not know what we wanted, and what we knew, we did not want. War and adventure, riot

and destruction, and an unknown, torturing drive which whipped us on from every corner of the heart!"[17]

One reason it took so long for historians to see this side of World War I— and the prelude to World War II—was because German crimes went almost entirely unpunished.[18] Most important, however, was that the threat to civilizational certainty posed by World War I helped spur the relegitimation of violence through new forms of rhetoric.[19] Those who deployed the rhetoric of eschatological purge saw the imperial struggle for world domination as yet further evidence of the need to move from "prehistory to history proper," while those who spoke the rhetoric of genocide saw the Treaty of Versailles as yet further evidence that modernity was a fraud, designed to prevent superior races from self-assertion.

These forms of rhetoric would be used to legitimize the quintessential examples of violent excess in the years after World War I. Chronologically, these are the Gulag, Auschwitz, and Hiroshima. Speaking these words in one breath is no doubt a risky undertaking, for it suggests the events to which they refer are, at root, identical, mere variations of the same phenomenon. Anyone who suggests this is likely to be accused of relativizing one or more. This accusation has become reflexive, an assertion of a worldview, but the accusation's meaning has fluctuated over time. In the late 1940s and early 1950s, the slogan "Do not forget," referring to the genocide of European Jews, expressed a real worry. Arendt, in her 1965 lecture notes to "Some Questions of Moral Philosophy," writes:

> It has often been noted that the Russian Revolution caused social upheaval and social remolding of the entire nation unparalleled even in the wake of Nazi Germany's radical fascist dictatorship, which, it is true, left the property relation almost intact and did not eliminate the dominant groups in society. From this, it usually is concluded that what happened in the Third Reich was by nature and not only by historical accident less permanent and less extreme.[20]

Against this view, Arendt argues that Stalin's crimes were "old fashioned"— there existed a relationship between deed, hypocrisy, and double-talk—whereas Nazi crimes were predicated on moral collapse. In the 1990s the *Frankfurter Allgemeine Zeitung* wondered who could have foreseen that Auschwitz would become, by general consensus, the central event of the twentieth century. To name Hiroshima in the same vein today seems almost obscene, though Adorno, never one to downplay the Holocaust, did just that.[21]

The German *Historikerstreit* of the mid-1980s was triggered by two publications: an article by Ernst Nolte in the *Frankfurter Allgemeine Zeitung* claiming

that Auschwitz was a "defensive reaction" to the Bolshevik policy of annihilation in the Gulag, and Andreas Hillgruber's book *Zweierlei Untergang* (Two Kinds of Downfall), in which he compared the mass expulsions of ethnic Germans at the end of World War II to the genocide of the Jews. Habermas criticized these views as poorly argued and exculpatory, but created controversy himself when he spoke of Stalin's "expulsion" of the kulaks—in truth, it was planned mass murder.[22] Presumably, Habermas did not know the facts, but this doesn't mean his criticism was *mere* reflex. In the postwar years, Germans tried to avoid talking about the evils they committed by talking about the evils others committed: the purges in the Soviet Union, the rape of German women, the forced displacements, the air raids on German cities, the destruction of Hiroshima and Nagasaki. The practice was so widespread that the Left became suspicious whenever a German spoke of non-German crimes.

Hermann Göring was one of the first Nazis to downplay his own crimes by pointing out those of others. Of course, Göring's argument in Nuremberg—and its appropriation by postwar Germans—showed nothing more than the moral degeneracy of those who exploit it. The idea that one misdeed could be exonerated by the existence of others is grotesque. Göring's defense seemed to rest on the proverb about fights being soon mended once ended. Those who, like me, were born in West Germany in the 1950s, grew up with parents and teachers who sought to instill Göring's morality in the next generation. But recognizing the degeneracy of the view, while important for reconciliation with the past and the recovery of a tenable ethics, is not necessary to refute it. Nolte's claim that Auschwitz was a preventative genocide, a worried response to a perceived Bolshevik threat, can be disproven with nothing more than a single question, one that Golo Mann posed to Joachim Fest: "Even if [Hitler] had such fear, which he didn't, what in God's name does this have to do with the annihilation of Jews?"[23] Quarreling about which crime against humanity was worse—the Nazis' or the Bolsheviks'—is foolish. *The only morally relevant question in these matters is whether something normally called a crime can be justified in certain circumstances.* If a country under missile attack sends its air force to destroy the enemy launchers and its jets inadvertently strike a hospital, the civilian deaths can never be justified, but one will never conclude that the attack itself was a crime. Comparison that does not serve *this kind* of relativization does not serve *any*. Morality that proceeds from a hierarchy of evil must take care not to lose itself in its search for increasingly heinous manifestations. People who dwell on the relativization caused by comparison can end up replacing ethics with aesthetics.[24] What makes our hair stand on end more—when the perpetrator is mad, or when he is an ordinary family man? What about the

perpetrator who is an educated lover of the arts? The scenario that makes the most people shake their heads in revulsion wins.

If comparison isn't a matter for serious minds, what is its purpose? The idea that I have to compare to discern differences is an error. Why do I want to discern differences? And what am I comparing? The only real point of comparison is to understand the dynamics of violence. On that score, Auschwitz, the Gulag, and Hiroshima have little in common. But in another respect they share something important: *each in its way contributed to a permanent change in our understanding of escalation.*

There is no universal model for escalating violence, and there are always moments of escalating violence when those in inferior positions of power are killed. In most instances, though, potential victims can save themselves through offers of submission. The city under siege can surrender; the religiously persecuted can convert; the political enemy can change allegiance. There may be circumstances that make submission difficult—I will discuss the persecution of the Jews below—and those in superior positions of power may reject the offer, but if they do, they will also be rejecting the norm that submission presupposes. The glaring exception is when nuclear weapons are involved, for they suspend the logic of escalation itself. The mass killing of civilian populations is only a secondary effect of conventional warfare; in the absence of a nuclear option, even planned genocide first requires achieving territorial control. But as soon as one side possesses nuclear weapons exceeding a certain yield, the initial step of any escalation has the potential of being the most extreme step—the annihilation of the enemy's entire population, a step no form of surrender can avert.

National Socialism biologically defined the "vermin" it sought to annihilate. Those designated as Jews under the Nuremberg Laws could not undo their Jewishness, whether by proving their services to the Fatherland or by becoming Christians. Even professing to believe in National Socialism didn't help: there was no way for European Jews to escape Nazi persecution through conversion of any kind.[25] With enemies not defined biologically, social status can offer protection. Rulers always knew how to erect a security barrier around themselves, and there were always groups of persons exempt from torture. The seventeenth-century German jurist Christian Thomasius lists some: "illustrious individuals, senators, famous and excellent people and their descendents to a third degree. Also knights honorably discharged from army service, scholars, advocates, and students."[26] (Thomasius might have mentioned the clergy and the nobility as well.) Some groups on this list were tried in the witch hunts, but this was, strictly speaking, illegal and, anyway, an exception.

In post-1933 Germany, non-Jews who behaved in conformance with the regime were safe from persecution. The Nazis kept denunciation on a short leash; its purpose was to make the persecution of specific groups more effective, not, as in the Soviet Union, to create new groups of persecuted individuals. Generally speaking, the Nazi regime did not carry out purges. Except for the Night of the Long Knives, members of the power elite did not become objects of persecution until the final days of the regime. By then, however, Hitler's power had weakened, and the number of high-level persecutions was few.[27] In Stalin's regime, by contrast, no one, not even a person who fought in the Bolshevik Revolution or who could boast of the dictator's friendship, was safe from murder. These fundamental differences in the dynamics of violence and loyalty distinguish the totalitarianism of National Socialism from that of Bolshevism. On this score, Auschwitz was different too, but for another reason: Auschwitz followed the escalation of military violence, not the escalation of political and racist persecution. Yet for all their divergence, these instances of violent excess intersect in more ways than one. In addition to changing our understanding of escalation, *Auschwitz, the Gulag, and Hiroshima represent forms of autotelic violence that their perpetrators, and many historians who study them, have refused to see as autotelic.*

ESCALATING THE INSTRUMENTS OF VIOLENCE

Byrnes and my fellows seemed to be walking on air.
—HARRY S. TRUMAN

Konrad Adenauer called the tactical nuke "just another form of artillery," and in a way he was right. Just as right as it is to claim that every modern weapon is, in some sense, another form of the stick and the biface. From them derives the bludgeon, the battle ax, and the sword. Placed on a long pole the biface becomes a lance; placed in a sling you almost have a catapult; combine a smaller version of each and we have a bow and arrow. And so on—perhaps. We can regard the stages that lead from the catapult to the canon to the missile as part of a continuum, or we can emphasize the qualitative differences among them. In the sagas, there was the exceptional sword: Excalibur, Balmung, Mimung, Eckesachs. And in the Middle Ages, there were, as I already discussed, the crossbow and English longbow, both capable of delivering armor-piercing arrows over long distances. At the Battle of Königgrätz, breechloaders allowed the Prussians to fire five times as fast as the Austrians did with muzzleloaders,

and the Prussians could even do it lying down. Some believe that the possibility of killing people from afar without seeing them—aerial bombing in particular—changed the very nature of war. Other weapons have a unique aura about them. In *Song of the Nibelungs* we read:

> "Among the Nibelungs' allies were twelve courageous men,
> bold and powerful giants. But what good were these mighty friends?
> They made bold Sifried angry and died at his furious hands,
> along with seven hundred warriors from other Nibelung lands.
>
> "Swinging his fine new sword (Balmung was the name it bore) …"
>   (94–95)[28]

Often, technique is key. In Michael Mann's film version of James Fenimore Cooper's *The Last of the Mohicans* (1992), the evil chief Magua is not killed by Natty Bumppo's rifle (as in the book) but by Chingachgook's primitive mace—the revenge for murdering his son. Chingachgook first smashes Magua's arm, and then, while his opponent looks down incredulously at his wound, he delivers a fierce blow from behind, the stone studs of the mace erupting from the sternum. Unifying the emotion of the raging father with the bodily destruction of the son's murderer, the graphic nature of the scene is shocking—TV broadcasts must omit the visual—yet suggestive.

In act I of *Macbeth*, we find this enthusiastic report of gore:

> And Fortune, on his damned quarrel smiling,
> Show'd like a rebel's whore: but all's too weak;
> For brave Macbeth (well he deserves that name),
> Disdaining Fortune, with his brandish'd steel,
> Which smok'd with bloody execution,
> Like Valour's minions, carv'd out his passage,
> Till he fac'd the slave;
> Which ne'er shook hands, nor bade farewell to him,
> Till he unseam'd him from the nave to th' chops,
> And fix'd his head upon our battlements.
>   (1.2.7–23)

Here Macbeth is still fighting the good fight on the side of King Duncan, and readers may find themselves getting caught up in the thrill. Make no mistake, though: this passage also invites us to take pleasure in the destruction Macbeth wreaks. The master of such depictions is Homer, who describes the violent acts

of his heroes in veritable slow motion. In the scene where Odysseus savages Penelope's suitors, he trains his first arrow—in a bow only he can draw—on the most prominent of them:

> Antinous …
> just lifting a gorgeous golden loving-cup in his hands,
> just tilting the two-handled goblet back to his lips,
> about to drain the wine—and slaughter the last thing
> on the suitor's mind: who could dream that one foe
> in that crowd of feasters, however great his power,
> would bring down death on himself, and black doom?
> But Odysseus aimed and shot Antinous square in the throat
> and the point went stabbing clean through the soft neck and out—
> and off to the side he pitched, the cup dropped from his grasp
> as the shaft sank home, and the man's life-blood came spurting
> from his nostrils—
> > thick red jets—
> > > a sudden thrust of his foot—
> he kicked away the table—
> > food showered across the floor,
> the bread and meats soaked in a swirl of bloody filth.
> > (22.8–21)[29]

In the Spaghetti Western *Django* (1966) the desperado carries a coffin that contains a machine gun he intends to use on a racist gang in retaliation for the murder of his wife. When he first opens fire, we are speechless, but soon after, we are gratified—these are vicious terrorists after all. Django's transformation from underdog to master of life and death excites us. It's the same excitement we feel when watching Kenneth Branagh's Battle of Agincourt in *Henry V* (1989): the opening words "we few, we happy few, we band of brothers"; a superior French army, bristling with weapons and agleam in the morning light; the English driving stakes into the mud; the French fast approaching; the fearful wide-eyed looks of the English; the order to attack; fear turning into rage as the troops charge; the deadly swoosh of English arrows as they rain down on the enemy; the fallen French horses heaving in the mire; English warriors charging past, their lances, swords, and axes drawn.

Karl May's version for children is harmless by comparison:

> "Well, then kill us once we've fallen into your hands—which hasn't yet happened."
> > "Uff! Do you think you can escape?"

"Indeed."

"That is impossible. Do you know how many warriors I have? I have two hundred!"

"Only two hundred! Haven't you been told yet that greater numbers have tried to catch me in vain?"

"But two hundred against you four! There is no way out for you!"

"We'll make a way!"

"You will be killed trying!"

"Possibly! But how many of your warriors will die? For each of my companions, I reckon twenty of your braves will die. I alone will surely kill more than fifty before you get your hands on us!"

Old Shatterhand spoke with such conviction that the redskin looked at him in utter surprise. Big Wolf produced a nervous laugh and rocking his hand disdainfully up and down responded, "Your thoughts are becoming confused. You are a brave hunter, but how can you kill fifty warriors?"

"Easily! Haven't you heard what kind of weapon I have?"

"You are supposed to have a rifle which shoots forever without reloading. That is impossible; I do not believe it."

"You want me to show you?"[30]

This is just target practice. Still, when the arrogant and dim-witted Ute chief tries out Old Shatterhand's rifle, he accidentally kills one of his own. Even a children's story needs at least one mangled body. In Arno Schmidt's "Leviathan" we read Goebbels's famous words describing the effect of V-weapons on his spirit:

A soldier was chatting with the H.Y. lads (and the maids from the German Maiden's Org. nodded with confidence): "We've still got the stuff; we're gonna win. The Führer is following a very definite strategy; first he lures them all in, and then come the secret weapons." "Goebbels himself said, and I quote," replied one boy, "'when I saw the power of the new weapons, my heart stood still.' And in three years it'll all be built back up again—better. The plans are all in the Führer's desk ready to go." And so on. And their eyes shone like the windows of madhouses aflame....

... The H.Y.s were comparing bazookas ... : "... [T]hen you put the two holes together and screw it tight...." [T]hey played with them so eagerly, true children of the Leviathan (Thou art my beloved son....); evil iron and deadly fire; ah yes, they've turned out well.... I am firmly convinced that out of pure yowling lunacy and shrieking lust for ruin (not to mention the joys of Herostratos!) they'll let Germany go down in flames and rubble, down to the last doghouse. To quote me: anabaptist airs. Another costume, a larger stage."[31]

Debate about the Allies' own secret weapons continues to this day. The military historian Richard B. Frank takes the view of Henry Stimson, the then–U.S. secretary of war, who believed that the decision to use the atomic bomb on Japan was "the least abhorrent choice."[32] Since Japan was unwilling to surrender, Frank argues, a conventional war would have led to enormous losses on both sides. The war would have dragged on for at least another two years and, in addition to more bombing, would have necessitated an invasion of the mainland. Counting famine victims, Frank puts the number of dead at five million in Japan alone. This projected outcome stands and falls with the following claim: "[N]o pre-Hiroshima document has been produced from Japan demonstrating that any one of these eight men [the Supreme Council for the Direction of the War, the emperor, and the Keeper of the Privy Seal] ever contemplated a termination of the war on any terms that could, or should, have been acceptable to the United States and her allies."[33]

Thought experiments like these do not stand up to the standards of rigorous studies, so it is no surprise that Frank simply dismisses the extensive work of Gar Alperovitz, who compellingly argues against the view that the Japanese were unwilling to lay down their arms.[34] Alperovitz points out that the U.S. government knew through multiple channels that unconditional surrender was out of the question, and that any capitulation would come with the condition that the imperial dynasty be maintained and that Hirohito remain unaffected. The Japanese wanted to preserve honor and save face, but there was a practical concern too: only the emperor could call an end to the war; if he were disempowered or condemned as a war criminal, the Japanese army would fight to the last man. Such conditions may have made the Japanese position unacceptable, but the fact is that at no time were the Japanese willing to drop this demand, not even *after* the attacks on Hiroshima and Nagasaki, and the "unconditional" surrender signed by the Japanese did not force Hirohito from the throne. Moreover, Alperovitz shows that although the U.S. knew all along that once the Soviet Union entered the war Japan would be forced to surrender, Truman decided not to urge Stalin to step up the invasion, as he originally planned. The circumstantial evidence based on the mountain of material researched by Alperovitz indicates that the Americans forwent Soviet assistance for reasons of self-interest: they believed that single-handedly ending the war with a spectacular new weapon would improve their global standing, and they wanted to see the kind of damage two different bomb types—a uranium-based one for Hiroshima, a plutonium-based one for Nagasaki—could do under real-life conditions.

The evidence Alperovitz assembles is impressive, and only those who reject his conclusions out of hand can deny its force completely. Historical studies are

always open to certain objections; I do not want to analyze them here. I want to turn instead to a subject that is more speculative and psychological than most historians are usually willing to allow: the attitudes of political leaders to the possibility of apocalypse.

A certain sanguinity about the consequences of nuclear war—Adenauer's idea that tactical nukes are just another form of artillery, or the view, nefariously advanced by some governments during the postwar era, that citizens can protect themselves from an attack by placing a briefcase over their head or crawling under a school desk—prompted Günter Anders to speak of "blindness to the apocalypse," an inability to imagine that led people to flirt recklessly with disaster.[35] The writer Hans Henny Jahnn agreed. In a 1957 speech before a gathering of German writers in Bonn, Jahnn quoted from a statement issued by the Emergency Committee of Atomic Scientists: "The power over life and death cannot be made dependent on political calculation.... If war breaks out atomic bombs will be used and they will surely destroy our civilization."[36] Wolfgang Kraushaar's three-volume history of German protest in the postwar years documents over two hundred demonstrations between 1957 and 1959 against the nuclear armament of the Bundeswehr. These demonstrations—which do not include their (otherwise motivated) counterparts in East Germany—ranged from small vigils to mass protests with over ten thousand participants. At an April 17, 1958, demonstration in Hamburg, where as many as 150,000 protestors were estimated to have gathered, Jahnn accused the government of figuring the annihilation of the German people into its political calculations. A functionary of the German Confederation of Trade Unions announced that the time for a general strike was imminent, and Hamburg's mayor Max Brauer called for a referendum against nuclear armament to save parliamentary democracy.[37]

Anders's diagnosis of apocalyptic blindness was not entirely accurate, though. The fact that those in charge did not believe it possible to wage limited-scale nuclear wars was also decisive in the absence of full-scale ones. It is hard to know for sure whether the nuclear scenarios prepared by military leaders were devised to prove that such wars could be waged, or that they couldn't.[38] Consider the recently uncovered Warsaw Pact plans, which provided for a kind of cordon sanitaire from the Netherlands to the south in the event of nuclear attack. The plans assumed that the troops needed to carry out the measure would perish from radioactive fallout. What are we to make of this? It's not as if we can't imagine a coolly calculating strategist taking mass causalities into account—the first to scale the ladders in a siege are always badly off—but how could someone have seen such a scenario as manageable? No doubt there are people in the military and elsewhere who lose themselves in their fantasies. "Who will be able and willing to direct this chaos?" wrote the Prussian king

on the margins of Gneisenau's plans for guerilla warfare against Napoleon's forces, but it didn't stop the field marshal's fantasy of minor apocalypse.[39] The tapes of the emergency discussions between Kennedy and his advisers during the Cuban crisis document their efforts to resist the use of nuclear weapons despite a diplomatic and strategic maelstrom.[40] Reducing a crisis to a single option—in this case, transforming the Soviet Union to a nuclear wasteland more quickly and more thoroughly than the Soviet Union could do the same to the United States—may make it easier to handle, but this does not mean it's the best approach.

The fear of apocalypse counteracts the temptation to provoke it. The reports of the first atomic bomb test reveal a religious tremolo in the voices of the weapon's creators. J. Robert Oppenheimer's now proverbial "radiance of a thousand suns" stems from the Bhagavad Gita. Did he already know the passage, or did he prepare it just for the occasion? One witness, Brigadier General Thomas F. Farrell, described the event in biblical terms:

> The effects could well be called unprecedented, magnificent, beautiful, stupendous, and terrifying.... Thirty seconds after the explosion came first, the air blast pressing hard against the people and things, to be followed almost immediately by the strong, sustained awesome roar which warned of doomsday and made us feel that we puny things were blasphemous to dare temper with the forces heretofore reserved to The Almighty.[41]

Here's an account from the physicist Ernest O. Lawrence:

> The grand, indeed almost cataclysmic proportion of the explosion produced a kind of solemnity in everyone's behavior immediately afterwards. There was restrained applause, but more a hushed murmuring bordering on reverence in manner as the event was commented upon.[42]

The tone of these reports betrays less the horror of seeing the genie out of the bottle than the narcissistic shudder at being the one who let it out. An analogous phenomenon occurred in the political arena, and while the sentiment did not motivate the United States to use the bomb, it accompanied the decision. On July 16, 1945, the day of the test, the first report was telegrammed to Secretary of War Stimson and President Truman: "Operated on this morning. Diagnosis not yet complete but results seem satisfactory and already exceed expectations."[43] On July 18 they received a second telegram:

> Doctor has just returned most enthusiastic and confident that the LITTLE BOY is as husky as his big brother. The light in his eyes discernible from here to Highhold

and I could have heard his screams from here to my farm.… The informal code meant that the explosion could be seen for 250 miles and heard 50 miles away.[44]

The strange exaltation went beyond an expression of mood; it was also for the purpose of secrecy. On July 21 more news arrived:

It was an immensely powerful document, clearly and well written and with supporting documents of the highest importance.

It gave a pretty full and eloquent report of the tremendous success of the test and revealed far greater destructive power than we expected.

The same day, John McCloy wrote in his diary:

The report came in today of the cataclysmic event.… [T]he description of it leaves little doubt that we are on the edge of a new world—that of atomic force. It is probably of greater significance than the discovery of electricity. The phenomena of the explosion were so vivid that words seem to fail those who described it.[45]

The report also included this:

In a remote section of the Alamogordo Air Base, New Mexico, the first full scale test was made of the implosion type atomic fission bomb. For the first time in history there was a nuclear explosion.… The test was successful beyond the most optimistic expectations of anyone.… There were tremendous blast effects.… There was a lighting effect within a radius of 20 miles equal to several suns in midday; a huge ball of fire was formed which lasted for several seconds. This ball mushroomed and rose to a height of over ten thousand feet.… The feeling of the entire assembly was … profound awe.[46]

Here is an excerpt from Truman's diary entry of July 25:

We have discovered the most terrible bomb in the history of the world. It may be the fire destruction prophesied in the Euphrates Valley Era, after Noah and his fabulous Ark.[47]

Truman and the others savor the sublime, but they do so, psychoanalytically speaking, in the mode of displacement. They bow (think of Nathan: "I, dust? I, nothing?"), yet the bow they take is for themselves (think of the sorcerer's apprentice: "With my mental power I'll do wonders too"). They do not freeze in awe and terror; they do not ask whether what they do, or plan to do, is ethical.

They are euphoric, giddy with excitement. Here is Stimson's description of Truman the same day the president wrote about "the most terrible bomb in the history of the world:"

> I then went to … President Truman. I asked him to call in Secretary Byrnes and then I read the report in its entirety and we then discussed it. They were immensely pleased. The President was tremendously pepped up by it and spoke to me of it again and again when I saw him.[48]

There's nothing startling about a president who celebrates success, especially when it's a political game changer. And Truman could hardly have been expected to put the genie back in the bottle. What is noteworthy in his response is the way apocalyptic language and a sense of the sublime go hand in hand with elation—elation at the instrument of destruction now in his hands. "A terrible success" was how he aptly put it.[49]

The decision to use the bomb rather than wait for Japan's response to a Soviet invasion took place in this excited atmosphere. Truman was "a changed man" and, once informed, so was Churchill. Field Marshal Sir Alan Brooke observed in his diary the following:

> [W]e now had something in our hands which would redress the balance with the Russians. [Churchill] was already seeing himself capable of eliminating all the Russian centres of industry and population.… He had at once painted a wonderful picture of himself as the sole possessor of these bombs and capable of dumping them where he wished, thus all-powerful and capable of dictating to Stalin![50]

Why didn't Churchill's vision become reality? For one, the Soviet Union, helped by the Rosenbergs, soon had the bomb. From that point on, murder and suicide became close enough as to be indistinguishable, and apocalyptically minded leaders à la Hitler have proven mercifully rare. Another reason history didn't shake out the way Churchill imagined was the horror felt by those outside the small circle of believers. Truman's chief of staff, Admiral William D. Leahy, called the bomb "a barbarous weapon." Its use signaled "an ethical standard common to the barbarians of the Dark Ages." "I was not taught," he added, "to make war in that fashion, and wars cannot be won by destroying women and children."[51] The British general Sir Hastings Ismay expressed "revulsion."[52]

What was needed was proper legitimation, and the only option under the circumstances was to claim there'd be more violence without the bomb. This interpretation, still publicly acceptable today, can and should be criticized, not only because it's untrue but because we may owe it to the memory of the victims to refrain from claiming that, all things considered, their deaths saved

lives.[53] On the other hand, the stubborn insistence on traditional forms of le-
gitimation has contributed much to the world's stability. In the first years of
the Atomic Age, this insistence helped ensure that the temptation Allied politi-
cians felt to behave irresponsibly wore off as quickly as a mild buzz. To remain
the people they believed they were, they had to forget the people they, for a
brief moment, had become. Later Truman would say that authorizing the
bomb was "no great decision." "It was merely another powerful weapon in the
arsenal of righteousness.... It was a purely military decision to end the war."[54]
So strong is this special form of legitimation, and so configured is modern per-
ception, that even critics of the decision do nothing more than substitute an
instrumental explanation in service of legitimation with an instrumental expla-
nation in service of delegitimation. Each explanation assumes that the purpose
of the violence was locative: either to neutralize the resistance of the Japanese
army or to compel their neutralization by threatening them with the Soviet
army. But both explanations are predicated on something else: the deploy-
ment of the atomic bomb was a demonstration—a demonstration of destruc-
tive power.

*For a historical instant, those who authorized the use of atomic weapons saw
it for what it was: an orgy of autotelic violence.* The possibility of apocalypse on
a limited scale gave them a way to defy the rules of humanity with impunity.
They ventured just two steps, but the steps they took had far-reaching conse-
quences, and today the proliferation of nuclear arms in countries that lack a
Cold War model of deterrence could seriously alter the course of the twenty-
first century. For all that, Hiroshima and Nagasaki affected our idea of moder-
nity far less than Auschwitz and the Gulag, precisely because the Allies suc-
ceeded in packaging them as normal acts of war. *People feared the nuclear
catastrophe to come; the one that had already happened remained within the
framework of modern warfare, leaving our social interactions, control measures,
and collective beliefs largely untouched. The autotelic excess of Hiroshima and
Nagasaki went unnoticed and our idea of modernity persisted intact even as nu-
clear weapons turned the dynamic of escalation on its head.*

MODERNIZATION AND THE GANG

You engage and then you see.
—NAPOLEON BONAPARTE

Trina—their cook, Trina, who until now had always been a loyal and solid girl—was
suddenly showing clear signs of revolt.... Madame Buddenbrook had felt it neces-
sary to reprimand her for a shallot sauce that had turned out badly, whereupon

Trina had set her bare arms on her hips and expressed herself as follows: "Just you wait, madame, twon't be long now and things're gonna be reg'lated different. Then *I'll* be asittin' up on the sofa in a silk dress, and *you'll* be waitin' on me, 'cause …" It went without saying that she had been let go at once.

THOMAS MANN, *BUDDENBROOKS*

In this section I want to examine the secular experiment known as Communism. This experiment has many facets, some more pronounced, some less, but all are decisive for understanding the Soviet regime's dynamic of violence.

What makes the October Revolution in Saint Petersburg so fascinating for its enemies as well as for its supporters was its improbability. Even after joining forces with the charismatic Trotsky, the Bolsheviks remained a sect of fanatics whose vast majority did not believe revolution would ever come. It did because Lenin—who acquired most of his godlike aura posthumously—asserted himself against the majority. The revolution came about so forcefully because nothing stood in its way; it succeeded by sheer voluntarism.[55] No one made a move to prevent the Bolsheviks from taking over Saint Petersburg's railway administration, post office, telegraph office, state bank, telephone switchboard, or power plant.[56] The Storming of the Winter Palace, as the operation would later be known, was a farce. The necessary forces were delayed, and the signal from the Peter and Paul Fortress never came because the commandant in charge of igniting the lamp had slipped in sludge. (Even had he succeeded in igniting it, the signal would not have had its intended effect: the lamp was the wrong color.) After being informed of the debacle, Lenin simply notified the assembly of the Saint Petersburg soviet that Alexander Kerensky's provisional government had collapsed. In the meantime, the Russian cruiser *Aurora*, taking up the slack for the hapless troops in the Peter and Paul Fortress, began shelling the Winter Palace. Though most of the rounds landed in the water, all the ministers except Kerensky decided to surrender. (The prime minister managed to escape in an automobile stolen from the American embassy.) Lenin announced the news at the Constituent Assembly, and the Bolsheviks, who had used procedural tricks to garner more seats than they were entitled to, took control despite being a clear minority. Some of the critics of the insurrection left immediately in protest. Others stayed long enough to repudiate Trotsky with the now famous words: "You are miserable bankrupts, your role is played out; go where you ought to go—into the dustbin of history!"[57] While exiting, a protester called out to one of Lenin's men: "One day you will understand the crime in which you are taking part."[58] Unfortunately, there was no one left who could stand up to the crime.

The Bolsheviks gained power because everyone—the government and the non-Bolshevik majority in the Saint Petersburg soviet—believed they already had it, and they believed this because the Bolsheviks behaved as if they did.[59] Despite their lack of real power, most Bolsheviks displayed a violent temperament; with their unwashed appearance and leather tunics they could have passed for a band of marauders come to loot the city. The other, more important reason for the success of the revolution I have already mentioned: no one thought it would succeed. For leading Bolsheviks, this was true both before and after the October Revolution. Once the Bolsheviks took control, many assumed what Trotsky had predicted fourteen years before: to remain in power the regime would have to become a party dictatorship controlled by a strongman. Kamenev and Zinoviev resigned from the Central Committee and then sent an open letter of protest to *Izvestia* in which they wrote that a purely Bolshevik government can be maintained only by political terror, which, if enacted, would lead to "the establishment of an unaccountable regime and to the destruction of the revolution and the country."[60] Others thought the revolution wouldn't last more than a few weeks anyway. But it was precisely this seeming improbability that became an essential element in the ascendancy of the regime. As Orlando Figes observes, "anti-Bolshevik forces … were almost nonexistent … [and] the SRs and the Kadets, the most likely leaders of such a force, were so convinced of the regime's imminent collapse that they neglected to organize against it."[61] This is the same phenomenon Tieck describes in his novella: once the bishop asserts his belief that he can prevail against the entire town, the alderman, who always assumed such madness to be impossible, capitulates. This sort of mechanism, at work in Hitler's rise to Reich chancellor as well, is crucial to the formation of revolutions and terrorist regimes.

I want to digress for a moment to address a question that surfaces whenever one speaks about violent regimes in the twentieth century: how "modern" were they? Those who believe that National Socialism and Stalinism were modern phenomena point out their technological developments, their large-scale industrial projects, their obsession with order, their social design, and their hostility toward traditional society.[62] The skeptics point to how they ruled. Jörg Baberowski writes that Stalin and Mao may have dreamed of "brave new worlds" but their regimes "were neither bureaucratic nor orderly." "The monumental façades that gave the totalitarian regimes of the twentieth century an orderly face only concealed that behind these façades premodern wars were being fought, not only against neighbor states but also against one's own population."[63] Though I find the distinction between modern and premodern violence questionable, it seems at least plausible in the case of war. The modern idea of the bounded war had nothing in common with the Wehrmacht's war of

annihilation. (Whether the latter was more premodern or more postmodern in character is another question.) The word *modern* as I define it in this book signifies less a *kind* of violence than an attitude *toward* violence. In this sense, neither Mao's China nor Pol Pot's Cambodia can be described as a modern regime, though both adopted Marxism (a worldview developed in modernity) in reaction to capitalism (ditto).[64] With Lenin's revolution and Stalin's dictatorship, the matter is less straightforward. Stalin and his followers were shaped by the normality of violence in the Russian village—I'll discuss this more below—while the group around Lenin and Trotsky grew up in an urban culture modeled on the West. Some Bolsheviks looked like thugs, dressed in black shirts and leather boots; some Bolsheviks understood themselves as the avant-garde of a revolution whose center would not be Saint Petersburg or Moscow but Berlin or Paris. Each represented a different side of the same coin. The important thing—to bring the discussion back on topic—is that there were people in Saint Petersburg whom they could faze with the threat of ruthless violence.

By the time the Constituent Assembly was convened—the real fruit of the revolution in the eyes of many on the non-Bolshevik Left—the Bolsheviks had not only formed a government; they had also created a secret police force, the Cheka, and given its first director, Felix Dzerzhinsky, carte blanche to do as he pleased. The meeting of the first Assembly took place behind a detachment of drunken Red Guards who periodically aimed their rifles at parliamentarians as they spoke. After the intimidated representatives left the Tauride Palace—they had been ordered to adjourn because the guards were tired—the Bolsheviks locked the doors and declared the Assembly dissolved.[65] *Without the terror incited by the Bolsheviks, there is no way to fully explain the success of the October Revolution. The revolution was a phenomenon of modernity, and its aftermath represents one path of modernization.*

When the Bolsheviks asserted power, state institutions were already in decay. Their formula for success lay in allowing the decay to continue while introducing new institutions that, like Bolshevik power, started out imaginary but became real through assertion. Whether you account for it by way of psychology (positive reinforcement, neurotic more-of-the-same) or by way of principle ("never change a winning team," "don't swap horses midstream") the history of the Bolsheviks continued to display elements of the recipe—or, if you prefer, the happenstance—that brought them to power. The first Bolshevik institution, the Council of the People's Commissars—the term *council* was chosen to avoid the bourgeois-sounding *cabinet*—became known for its conspiratorial atmosphere. Figes comments, "It was as if the Bolsheviks were psychologically unable to make the transition from an underground fighting organization to a responsible part of national government."[66]

The Bolshevik trajectory ended with glasnost, the rallying cry of its last party chairman, but this is not the history I trace here. Instead, I want to understand the form of domination that used mass murder and terror to make the Soviet Union a world power. Figes describes the beginnings:

> [T]he crux of the Bolshevik success was a two-fold process of state-building and destruction. On the one hand, at the highest levels of the state, they sought to centralize all power in the hands of the party and, by the use of terror, to wipe out all political opposition. At the grass-roots level, on the other, they encouraged the destruction of the old state hierarchies by throwing all power to the local Soviets, the factory organizations, the soldiers' committees and other decentralized forms of class rule. The vacuum of power which this created would help to undermine the democracy at the centre, while the masses themselves would be neutralized by the exercise of power over their old class or ethnic enemies within their own local environment. There was of course no master plan to this—everything was improvised, as it had to be in a revolution; yet Lenin, at least, had an instinctive sense of the general direction, of what he himself called the "revolutionary dialectic," and in many ways that was the essence of his political genius.[67]

This dynamic defines the special breed of Bolshevik violence in which the "you ought" is interwoven with the "you may."[68] As the monopoly on violence expanded, prisons filled with members of the political opposition and the Cheka grew under Dzerzhinsky, who, in the Jacobin tradition, espoused war as his credo: "Do not think that I seek forms of revolutionary justice; we are not now in need of justice. It is war now—face to face, a fight to the finish. Life or death!"[69] In pursuing this end, Dzerzhinsky operated outside the law. Formally, the Cheka was under the control of the Council of the People's Commissars, but it was not accountable to it. The resulting dynamic is easy to predict. Either the secret security assumes power, or the one who controls it becomes a veritable dictator.[70]

The dangers of unaccountability at this level have been frequently documented throughout history. An early example is that of Sejanus, the prefect of the Praetorian Guard under Tiberius.[71] After Tiberius's withdraw from Rome and relocation to Capri, Sejanus became his virtual replacement, the only liaison between the outside world and an emperor grown weary of governing. According to one account, Sejanus went on to exercise a repressive and arbitrary rule. He hatched intrigues, made denunciations, married into the imperial family, and came to occupy pivotal offices, all in an effort to succeed the Roman emperor. Tiberius eventually recognized the threat. He lured Sejanus to the senate with promises of tribunal powers only to have him arrested and hanged summarily.

Nikolai Yezhov is a twentieth-century case. Originally head of personnel registration at the Central Committee, he quickly rose through the ranks to become director of the NKVD, the successor organization to the Cheka.[72] High-ranking murderers have rarely shown such dedication: Yezhov would sometimes arrive at morning Politburo meetings fresh from an interrogation, blood stains still on his cuffs.[73] The only things he took as seriously as torture were alcohol and sex, and he once drunkenly boasted that he could arrest anyone at the Politburo he pleased. Another time he is alleged to have called for Stalin's murder. His outbursts cost him his position and led to accusations of disloyalty, but he stayed on for a time in the Central Committee as commissar of water transport; only later did he disappear. Yezhov's replacement at the NKVD, Lavrenty Beria, survived Stalin, though it's unclear whether this was because Beria killed him, as he would later claim. Surprisingly enough, Beria sought to liberalize the regime after Stalin's death, but the chain of command proved too nebulous. Khrushchev, a repulsive henchmen of Stalin's who subscribed to a different notion of de-Stalinization, had Beria arrested and shot.[74]

The Gulag grew out of the need to preserve power by centralizing terror. The anti-institutional efforts on the part of the Bolsheviks had left the old prison system in shambles. Some prisoners suffered miserable deaths; others, owing to a mild climate, got by. Security in any case was chaotic to nonexistent. A Soviet official at a prison in Saint Petersburg recalled, "The only people who didn't escape were those who were too lazy."[75] The first task of the Gulag was to separate political prisoners from common criminals and place the former in more secure camps. The problem was that the Soviet Union never developed an official definition of political crime, and individual decisions were often left to local officials.[76] The Cheka possessed de facto authority to identify the enemies of the Soviet system. As Baberowski observes, this authority "was not directed toward actual opponents but collectives who were deemed undesirable: aristocrats, landowners, officers, priests, Cossacks, and kulaks. . . . The enemy did not know himself as such; he existed only in the heads of the Communists."[77]

The first Soviet concentration camps, conceived by Trotsky and Lenin, were former prison camps run by the Cheka after the signing of the Brest-Litovsk Treaty. These so-called special camps were eventually combined with regular prisons to create a single system where, in the words of Anne Applebaum, "the Cheka would devour its rivals."[78] The rise of the Cheka—from the GPU to the OGPU to the NKVD to the KGB—created a nationalized and centralized form of violence that nevertheless remained personalized, a violence dependent on enemies named by the secret police and on decisions made by the political leaders.

The system of prison camps grew as the power of the Cheka expanded. What began as a single camp on the Solovetsky Islands soon became a network spread across the Soviet Union—Solzhenitsyn's Gulag Archipelago.[79] In his 1968 *The Great Terror*, Robert Conquest put the number of arrests during the worst period of purge, between January 1937 and December 1938, at seven million.[80] In 1985 J. Arch Getty drastically revised this number downward, claiming that only several thousand had been incarcerated.[81] The NKVD's own records have since been released, indicating the total number of prisoners as counted on January 1 of each year. According to these documents, the number of Gulag prisoners rose from 180,000 to 1.3 million between 1930 and 1936, from 1.3 million to over 2 million between 1936 and 1948, and from 2 million to 2.5 million between 1948 and 1953, the year Stalin died. (There was a drop-off during the war, but the total number never fell below 1 million.) As Applebaum points out, these figures are misleading because they hide the high rates of prisoner turnover:

> In 1943, for example, 2,421,000 prisoners are recorded as having passed through the Gulag system, although the totals at the beginning and end of that year show a decline from 1.5 to 1.2 million. That number includes transfers within the system, but still indicates an enormous level of prisoner movement not reflected in the overall figures. By the same token, nearly a million prisoners left the camps during the war to join the Red Army, a fact that is barely reflected in the overall statistics, since so many prisoners arrived during the war years too. Another example: in 1947, 1,490,959 inmates entered the camps, and 1,012,967 left."[82]

From her analysis of the data, Applebaum concludes that "eighteen million Soviet citizens passed through the camps and colonies between 1929 and 1953."[83] This figure does not include those sentenced to forced labor without incarceration; prisoners of war; or the kulaks, Poles, Balts, Caucasians, Tartars, Volga Germans, and other groups deported during that period. Applebaum puts the total number of people placed in some form of forced labor at 28.7 million.[84] The percentage of deaths in the Gulag (not counting those who died during transport) relative to the number incarcerated ranges between 0.67 percent (1953) and 24.9 percent (1942).[85] Based on these figures and the study of later years, historians have conjectured that between ten and twenty million people fell victim to the Bolsheviks.[86]

At the beginning of the revolution, centralized terror was accompanied by mass outbursts of general violence brought about by the collapse of social institutions. Unparalleled looting occurred in which people took everything there was to take, sold everything they could sell—including women from ethnic

minorities "for twenty-five rubles a piece," as Maxim Gorky wrote in disgust (this was before he came to admire the Gulag's order)[87]—and drank every wine bottle they could find. Dirty marauders smelling of perfume and adorned with jewels roamed city streets, and enraged mobs wandered the countryside, sometimes with the intent to rob, sometimes with the intent to punish a theft. Interspersed among the lootings were eruptions of autotelic violence that left many beaten, drowned, or tortured to death.

The Bolsheviks did not plan this mass violence, but they encouraged it because it suited their terrorist agenda. In words that could have been spoken by Trina, the cook in the employ of the Buddenbrook family, Trotsky proclaimed, "For centuries our fathers and grandfathers have been cleaning up the dirt and the filth of the ruling classes, but now we will make them clean up our dirt."[88] Wandering revolutionary brigades also did their part to accelerate the maelstrom of anarchy. In one instance Red Guards threw fifty military cadets— most of whom came from bourgeois families—into the blast furnace of a metal factory.[89]

Another factor in the anomie was the complete inversion of social relations that resulted from Bolshevik programs. To take one example: committees created to distribute living quarters more fairly became outlets for the revenge of the underprivileged. Figes writes that "joining the buildings committee, and even more the party, gave [former house porters and domestic servants] a licence to turn the tables on their former superiors. They occupied the best rooms in the house and filled them with the finest furniture, while their previous employers were moved into the servants' quarters."[90]

These acts of violence and theft did more than create an atmosphere of chaos. They also coated reality with the patina of a new order, where violence served the revolution, theft served redistribution, and atrocity served justice. So-called people's courts, run by the Cheka, gave the events an extra revolutionary blessing. *Just as with Bolshevik rule and the new institutions, the state monopoly on violence became real only after it was asserted*. The commissar for justice, Isaac Steinberg, recognized the direction the violence was taking in 1918. "Why do we bother with a Commissariat of Justice at all?" he asked Lenin. "Let's call it frankly the 'Commissariat for Social Extermination' and be done with it!" Lenin replied, "Well put, that's exactly what it should be; but we can't say that."[91] Gorky formulated his response in the pages of *Novaya Zhizn*: "There are many people in Russia and plenty of murderers.... A wholesale extermination of those who think differently is an old and tested method of Russian governments, from Ivan the Terrible to Nicholas II ... so why should Vladimir Lenin renounce such a simple method?"[92]

In one sense, the state monopolization of violence established by the Bolsheviks was another step in the process of modernization. As Figes reminds us, "Dzerzhinsky himself wrote in 1922 [that] all the Cheka did was to 'give a wise direction' to the 'centuries-old hatred of the proletariat for its oppressors,' a hatred which might otherwise 'express itself in senseless and bloody episodes.'"[93] But the modernization from which Bolshevik dictatorship emerged was a strange one, *for the Bolshevik centralization of violence did not bring about a reduction of violence. Rather, it built a society based on the omnipresence of unpredictable violence.* First came a series of unorganized and unsystematic bloody episodes; next came a series of unorganized and unsystematic bloody episodes carried out by the Cheka; and last—this is what makes Bolshevik terror so bizarre—came organized and systematic mass terror. This phenomenon is historically unique and hard to grasp. What interest could a regime have in ordering the execution of *x* thousand people in a given region? People who are nobody's enemy, people from whose murder there is little to gain, people who stand in no one's way? Neither the character of the revolution nor an uninventive conservatism in matters of murder and manslaughter can explain a society that, in the words of Yuri Orlov, had "wallow[ed] in blood and vomit" for decades.[94]

Baberowski believes that the melding of two experiences was decisive for Stalinism: the violence of rural life and the violence of civil war. Though the picture Ivan Goncharov paints of the sleepy Russian village in the ninth chapter of *Oblomov* probably contains some truth, it is not the entire truth. "Village life," writes Baberowski, "was dominated by alcoholism, greed, and violence. Men beat their women and children; outsiders were isolated or exiled from the community; drunkenness led to fighting that often ended fatally…."[95] This experience of violence extended to the individual—Stalin was beaten terribly by his mother—and to the collective: the provincial social climbers who secured positions in Stalin's regime were accustomed to solving problems with physical force. Stalin's friend Sergo Ordzhonikidze is said to have beaten up opponents, while Kliment Voroshilov replied to one critic, "You liar, you bastard, you deserve a punch in the face."[96] Stalin's correspondence and marginal notes had a similar tone, as did his behavior at work: once, he grabbed his secretary by the hair and smashed his head against the table.[97] These predilections of village life were further amplified by the events of the Russian Civil War, where there were mass killings on both sides and where enemies were impaled, crucified, and ripped to pieces.[98] For the Stalinist functionaries who had known both—violent rural life and violent civil war—violence became, as Baberowski put it, "the elixir of life."

Stalin, Molotov, Kaganovich, Voroshilov, Ordzhonikidze, Kirov, Yezhov—these men embodied the political style, the language, and the habit of the Stalinist functionary. Stalin, the "wonderful Georgian," as Lenin called him, was their idol. He brought together all the properties considered important in their circle: simplicity, determination, and a propensity to violence.[99]

In his *Soziologie* Georg Simmel argued that society and individual harmonize in one's vocation.[100] If this is true, then Stalin was its gruesome embodiment. Not only did he, like Yezhov, personally observe torture sessions, giving instructions on how best to proceed; in some sense, his personal inclinations were responsible for Stalinism itself. "The Bolshevik project," explains Barberowski, "… led to mass terror not least because the dictator liked having people killed."[101] After Stalin died, the mass killings stopped. Of course, if those who rose with Stalin had not liked killing as well, Stalinism would never have been possible in the first place. Perhaps his close associates and henchmen halted the mass executions after 1953 because they had grown tired of living in constant fear.

The violence of the regime had yet another source in addition to all the others: compensation for its failure to realize a new order. The non–market economy sought to secure political equality by eliminating economic inequality, but in doing so eliminated political freedom and unleashed political terror.[102] Massive raids took place in rural regions during the Russian Civil War, during the efforts to punish the benefactors of Lenin's New Economic Policy, and during forced collectivization. Armed bands invaded the villages, stole whatever they needed, and killed residents. The 76,000-person "Food Army" consisted of the unemployed, the uprooted, the transient, and the homeless. The Bolsheviks, as Figes points out, may have seen in civil war "no more than a violent form of class struggle," but many of those who fought in it were people who could gain only at the cost of others.[103]

The formation of gangs is understandable given the hardship and violence of the regime's first decades. Yet the gangs were also an indication that state institutions had failed. The combination of terror, command economy, and control was made possible through cronyism, clientelism, and kinship. And once this compensatory strategy proved successful, the regime deployed it over and over again. During the famine of 1932–33, when human meat was being peddled at town markets, the state sought to come to grips with the crisis through mass arrests, deportations, and raids.[104]

A regime that relies on terror destroys its institutions and replaces them with a network of personal connections.[105] In large and economically complex states such as the Soviet Union, the command economy reinforces the process.

The fiction of plan and plan fulfillment requires a collective system in which everyone believes even as they all know it's broken. The model for this kind of society is the gang. Its socially acceptable form is the family. *Characteristic of both is that they can be maintained through either love or hate, or both.*[106] *What matters is the shared fiction that life will continue as it has.* This is why the family forms the nucleus of trust. *Trust that a system can continue indefinitely despite knowledge of its failings depends on the fusion, or confusion, of social function with the individual.* In institutions, the loss or change of personnel does not affect the system, while in relationships between two persons, one can fear the other's death or hope for it, but the absence of one always terminates the relationship. Families and gangs are different: members cannot be easily replaced yet if they leave or die the unit does not break apart. At once interpersonal in function and personal in character, they provide their members a general sense of continuity.

The environment at the Central Committee and the Politburo shared this ganglike or familylike atmosphere. Baberowski writes, "Political decisions were made during nightly feasts at the Kremlin or at Stalin's dacha that lasted well into the early morning hours."[107] Soviet leadership lived at the Kremlin in close quarters, boozing, sliding messages under one another's doors, and watching movies. (Stalin's personal preferences surely had an effect on the behavior of the others. Hitler, who lived in a similar environment, expected his entourage to join him whenever he watched his favorite films.) Such violent expansion of the private sphere, where intimacy and chumminess can spontaneously erupt into aggression, has long been a part of dictatorial power.[108] Stalin's fests were like family get-togethers: they were tense and potentially violent, but they also reinforced trust in the continuity of the system.[109] *Gangs and families are places where violence coexists with cohesion. This is because they hold out the hope of group harmony while allowing members to compensate for suffering inflicted on them with the suffering they inflict on others. In short, they promise members heaven and instead give them hell.*

The central power of the Bolshevik Party was constituted less by one-party rule than by the clientelistic relations among its members. The party was merely the place to establish such relations. It was, Baberowski writes, "an association held together by personal networks and hierarchies of allegiance, not by abstract rules and laws. Family relation, loyalty, and honor were the foundations of the new order."[110] Once those virtues became duties, and their demonstration became a strategy of maintaining power, they began to sow distrust. From this point forward, political survival in the Bolshevik state required ceaseless demonstrations of loyalty. Denouncing enemies was the best way not to be seen as an enemy. Baberowski explains:

The Stalinist subject was alert, he was an informer, the one who, to prove his loyalty, forgot friends and relatives. Denunciation was the way of life for the enthusiastic Bolshevik. The informer was celebrated in songs and monuments erected in his memory. People became informers from wounded honor, greed, or resentment. Denunciation was a weapon with which the subordinate could fend off enemies in their everyday lives. It gave the population a way to instrumentalize the punitive arm of the state for their own interests.[111]

In a climate where blame for factory mismanagement, shoddy construction work, and so forth was often attributed to saboteurs, targeted denunciation was an easy way to get rid of people one disliked: colleagues, factory heads, even party functionaries. This was not exactly "Stalinism from below"—terror always remained tied to a central authority—but the power granted to the people was remarkable all the same.

The dynamic of participatory power I describe in chapter 2 helps explain why widespread denunciation did not shatter Soviet society and why social coherence did not require the external support of the regime: namely, *denunciation served to stabilize trust*. The important thing was to know what to do so life continued as it had—for the individual and for the whole. Responding to the system's crises by deporting or killing enemies was madness, but it was the kind of madness that perpetuated the system. The strategy recalls the joke about a train passenger who periodically sprinkles a few drops of liquid out the window. When another passenger asks what he's doing, the man says the liquid is "girri-girri" water to keep away the elephants. "But there aren't any elephants here," the second man responds. "That's right," the first man says. "See how well it works?"

Of course, the Soviet system had real problems it could not solve. But in life, only a small percentage of problems are ever really solved. New situations give rise to new problems, and new problems arise on their own too. Besides, it's difficult to believe in mass delusion. There has to be a kernel of truth somewhere.[112] We all know someone who lies yet becomes outraged when others don't believe him: his indignation at being branded a liar is greater than his inner awareness of having lied. Stalin chided the NKVD because a falsified document it produced for a show trial cited the name of a Danish hotel that no longer existed and the gaffe aroused the attention of foreign journalists. "What the devil did you need the hotel for!" Stalin shouted. "You ought to have said 'railway station.' The station is always there."[113] Stalin routinely issued stratospheric execution quotas, but, once, when reviewing a list handed to him by Khrushchev, he exclaimed, "There can't be so many!"[114] Another example of this phenomenon occurs in the film version of Umberto Eco's *The Name of the*

Rose. The inquisitor Bernard Gui uses torture to extract a confession from a hunchbacked monk accused of heresy. Later the man must admit his guilt before the tribunal. He plays the role so well—he knows he'll be tortured if he doesn't—that the inquisitor cuts him off in disgust. In general, the informer, by denouncing others, demonstrates that he is one of "us," not one of "them." *Denunciation is a strategy for developing a sense of "we" that pays out individually by building careers, enhancing social standing, and averting dangers. Ultimately, though, denunciation is a way of ruining others' lives. The license to denounce is the license to kill by indirect means.*[115]

For all the stability provided by denunciation, the Soviet regime probably would have foundered were it not for war with Germany. After all, Stalin started out doing his best to assist Hitler's victory: he had his most able generals killed to clear a buffer zone in Poland, without which Germany would never have been able to stage a surprise invasion; he prevented the Red Army from going into alert when German troops massed along the border; and his order not to respond to German provocation resulted in the destruction of the entire Soviet air force before it left the ground. At the end of June 1941, Stalin is recorded as having said, "Everything's lost. I give up. Lenin founded our state and we've fucked it up."[116] Stalin expected his arrest, but his comrades clearly didn't know what they would do without him.[117]

Faced with the possibility of defeat and the sheer need for survival, Stalin decided to make concessions, which ultimately preserved the Soviet system. He permitted private farming to secure the food supply, and factories were ordered to cultivate surrounding land to feed their workers. The transition to a war economy was an important Soviet accomplishment (greatly aided by the Allies, of course), but we shouldn't forget that the role model for the first phase of Soviet economic policy was the German military dictatorship under Ludendorff and Hindenburg and the so-called war socialism of Rathenau.[118] As Martin E. Malia points out, the system was "essentially a political-military mode of social organization." Once war broke out, it began "operating in its natural element."[119]

The war did not end the campaign against those Stalin did not trust—the Volga Germans, the Chechens, and the Tartars—and the number of Gulag inmates continued to grow, creating a reserve of forces to maintain and expand war production. In December 1941, shortly after Germans halted the Moscow offensive, Stalin began erecting camps in which Soviet prisoners of war would be interned for treason on their return. Arrests began promptly in 1945.[120]

The Soviet Union incurred terrible losses in the war but emerged a world power nonetheless. Stalin was now part of the Big Three, together with the U.S. president and the British prime minister. This did not affect Stalin's disposition;

the mass terror and murder that brought the Bolshevik gang to power did not relent, and denunciation remained a means of social cohesion. Nevertheless, the regime carried a country beset by poverty and malnourishment into the modern age, at least in the technological sense. (Aside from becoming a military superpower, the Soviet Union launched the first satellite and put the first human being into outer space.) The accelerating erosion of the command economy necessitated sweeping changes, but the last chair of the Communist Party of the Soviet Union failed to understand his country and its political structure. It was as if Al Capone's successor became mayor and ordered his men to enforce prohibition. Gorbachev lost his party, dominion over Eastern Europe, and the Soviet Union. After the coup meant to forestall the Soviet Union's demise failed miserably, Gorbachev met with the Parliament. There, Malia writes, "he was met with hostile cries that the Party was 'a criminal enterprise'" and had to watch as Yeltsin "signed a prepared decree suspending the Party throughout Russia."[121]

But the party was not the only criminal enterprise in the Soviet Union. A shadow economy had operated in the USSR since its founding, and during the Brezhnev era it became the system's cornerstone.[122] The black market compensated for the rigidity of the planned economy, and it solved problems—lack of resources, unavailability of spare parts, and so forth—that could not be solved any other way. Eventually, the shadow economy partly fused with the Communist Party: mafia bosses who ran the black market occupied party posts and local party chairs became mafia bosses. Two particularly extreme cases occurred in Uzbekistan. As Malia explains, one high-ranking official "kept a harem and had a torture chamber for his critics, while the Uzbek republic Party boss inflated the cotton production figures for which Moscow paid him."[123] The mafia in Dnepropetrovsk, to give another example, consisted solely of friends and relatives of Brezhnev's. From their ranks would come several of the businessmen to amass great wealth after the collapse of the command economy—the so-called oligarchs.

The Bolshevik regime failed to assume modern form. The 1917 revolution took place in a country largely shaped by centuries of violence. The only thing modern about the new regime was its rhetoric of eschatological purge. The result was a paradox: a society that put its traditional willingness to use violence in the service of modernization while availing itself of a language whose purpose was to legitimate extreme violence in modern society. *In the first phase of the revolution, leaders gradually monopolized uncontrolled violence to create a regime of state terror. In its second phase, the people began to serve the ends of state terrorism, and a culture of denunciation arose.*

The revolution put the Soviet Union on the road to modernity. After Stalin's death, state violence and denunciation decreased. By the time of the Russian Federation, the command economy was over and certain forms of legal regulation were in place (though the imprisonment of the entrepreneur Mikhail Khodorkovsky shows how fragile they would prove to be). The only way to conclude this section is with a banality: Russia's future remains unwritten. For the idea of modernity, Gulag socialism has meant little except as prehistory. This would change in an instant were we to decide to reintroduce it today.

DEMODERNIZATION AND THE GANG

A shock. I never thought it possible.
—KLAUS MANN, DIARY ENTRY FROM JANUARY 1, 1933

Hitler—Goebbels—Göring—Himmler. What a crew! You can't make up stuff like this. Nothing comparable existed in the East.
—WALTER KEMPOWSKI, *CULPA*

Every system of political terror tends to replace the institution with the individual, removing violence from the formal control of laws and putting it under the informal control of persons.[124] The Nazi regime was typical in this regard. It persecuted its enemies and used fairly traditional means to do it: arbitrary arrests, torture, disappearances, secret prisons, concentration camps. But in other aspects the Nazi regime was different from conventional systems of political terror. From the very beginning the Nazis understood themselves as more than a political party: they were a movement. They had a leader, not a chairman, and he remained their leader even after he assumed office, where he bore the title *Führer* and *Reichskanzler*. And unlike other terrorist regimes, the power of the Nazi Party did not begin at the end of a gun barrel. Its only attempt at a coup, the Beer Hall Putsch, ended rather feebly, despite Ernst Jünger's claims to the contrary.[125] The ballot box, and backroom discussions among conservative party heads, were what brought the Nazis to power. Still, the street fights and saloon brawls of the 1920s left a decisive mark on the party. The Nazis quickly formed two paramilitary organizations, the one uniformed in the color of fecal brown, the other in black adorned with skull and bones. Reich Chancellor Hitler was unable to endure the traditional tailcoat for long; he needed to return to the fantasy-fulfilling outfit of the Führer, to know once again the feel of leather across his feet, waist, and shoulders.

The wars waged by the Nazi regime were, aside from everything else, enormous acts of pillage. They benefited individuals—Hitler filled the museums with stolen artwork; Göring exhibited it in his home; Todt und Speer used slave workers for their projects; soldiers packed their satchels full of loot—and the collective: forced labor compensated for the shortage of able-bodied males and prevented women from having to work; goods confiscated from the homes of deported Jews flooded the market with cheap furniture and other household items.[126] "The civil society," writes Michael Wildt, "became a community of virulent theft."[127]

People who recall the Nazi era often speak of the prevailing sense of chaos created by the new regime. When crimes occurred, people looked the other away. Yet disarray in Germany before 1933—the erosion of institutions, physical suffering, violence on the streets—cannot be compared to the disarray in Russia after the revolution, and such comparison would tell us little anyway. *Germans did not identify with the regime because it restored calm and order. Germans first identified with the regime; only afterward did they see in it something that resembled calm and order.* Victor Klemperer saw public reaction to the Night of the Long Knives as the writing on the wall:

> [July 14, 1934]: The English: Mexican conditions.—"In the next few years we should not be afraid of Germany, but for Germany." … He has had his enemies killed.… Medieval … etc., etc. A Prague newspaper published a picture: Hitler and Rohm in intimate conversation, and printed a letter that Hitler had written only in January to his dear friend and most loyal helper.
>
> The confusion in the populace's ideas is shocking. A very calm and easygoing mailman and likewise old Prätorius, who is not at all National Socialist, said to me in the same words: "Well, he simply *sentenced* them." A chancellor sentences and shoots members of his own private army![128]

The one instance when the Nazis purged their own ranks in any way remotely akin to how the Bolsheviks had purged theirs was preceded by a telling course of events. Soon after the Nazis seized power, Hitler came under pressure from within the party and from without to eliminate the SA. On June 17, 1934, Franz von Papen delivered an inflammatory speech at the University of Marburg in which he warned that SA terror could incite a "revolution from below."[129] Wehrmacht leadership pressed Hindenburg, and the defense minister, Werner von Blomberg, told Hitler that Hindenburg would declare martial law if Hitler didn't do something about the SA.[130] Meanwhile, Heydrich and Himmler were spreading rumors about an imminent SA revolt. Goebbels believed for a time that the Nazis would strike against Papen and the others, but

when three thousand SA men protested in Munich, rampaging through the city and shouting "treachery," Hitler made up his mind and had the entire SA leadership executed.[131] (Röhm was killed after he refused to commit suicide.) The victims also included those with whom Hitler had old scores to settle. Kurt von Schleicher, a general and former Reich chancellor, was shot dead in his home.[132] Kershaw describes the public reaction:

> Outside Germany there was horror at the butchery, even more so at the gangster methods used by the state's leaders. Within Germany, it was a different matter. Public expressions of gratitude to Hitler were not long in coming. Already on 1 July, Defense Minister Blomberg … praised the "soldierly determination and exemplary courage" shown by the Führer in attacking and crushing "the traitors and mutineers." The gratitude of the armed forces, he added, would be marked by "devotion and loyalty."[133]

Hitler, too, spoke of "mutiny": "Mutinies are broken according to eternal, iron laws. If I am reproached with not turning to the law-courts for sentence, I can only say: in this hour, I was responsible for the fate of the German nation and thereby the supreme judge of the German people."[134]

Hitler was seen as the person who reclaimed calm and order from an incendiary street mob. In truth, Hitler had made the methods of the mob a legitimate means of governing. The response of the military is worth noting: when a general unaffiliated with the SA was gunned down, officers didn't flinch. What's more, Blomberg, having already published verbal torrents of devotion to the Nazi regime, signed a law on August 1, 1934, automatically making Hitler commander in chief of the armed forces on Hindenburg's death. Blomberg and the head of the Ministerial Office, Walter von Reichenau, drew up a new oath that bound German soldiers to the person of the Führer. "The initiative," Kershaw writes, "came from the Reichswehr leadership, not from Hitler.… Among the officers, the reaction to the oath was mixed. Some were sceptical or dubious. 'The darkest day of my life,' Beck was reported to have remarked.… But the majority spent little time reflecting on its implications."[135]

One of those implications concerned future opposition. "For those later hesitant about joining the conspiracy against Hitler," continues Kershaw, "the oath would also provide an excuse."[136] Modern soldiers normally swear allegiance to a country or to a constitution. In the time of monarchs, they swore to the king, not qua person but qua institution. If the king died, subjects did not repeat the oath; their allegiance transferred automatically to the new monarch. *Oaths of allegiance made to individuals, by contrast, are a defining characteristic of gangs.*

Earlier I identified the breakup of the SA as an example of the monopolization of state violence.[137] That the action was illegal makes it no less true. But it was also something else, namely part of a tendency to personalize and deinstitutionalize the state. This tendency is at work in Hitler's other efforts to secure power: the prohibition or dissolution of all parties apart from the Nazis, the disempowerment of Parliament, the transfer of legislative authority to the Führer.[138] The tendency culminated in Hitler's decision, in 1938, to assume direct control of the Wehrmacht after crises erupted involving two of his top military officers. "With one move," Kershaw writes, "[the decision] shifted the internal balance of power within the armed forces from the traditionalist leadership and general staff of the army (as the largest sector) to the office of the Wehrmacht, representing the combined forces, and directly dependent upon and pliant towards Hitler."[139] One episode of the so-called Blomberg-Fritsch Affair is particularly illustrative of the shift from politics to naked gangsterism. After it was revealed that Blomberg's wife had once posed in pornographic photos, General Werner von Fritsch was slated to become the next minister of war. But Himmler and Göring were not keen on Fritsch gaining power. So they pulled up an old file accusing Fritsch of seducing an adolescent boy. The accuser was one Otto Schmidt, a notorious blackmailer who was serving time in Börgermoor prison for extortion. Hitler arranged a meeting between Fritsch and Schmidt in his private library. Though Schmidt contradicted himself while being questioned, Fritsch lost his position and was removed from the leadership of the Wehrmacht. A court later cleared Fritsch of the charges, but he was never able to rehabilitate himself politically.

That Hitler brought a convict into his private quarters to manipulate the appointment of Germany's next minister of war not only reveals the Reich chancellor's state of mind; it underscores the extent to which National Socialist leaders were unable to think in terms of institutions. It was, Kershaw writes, "the fracturing of any semblance of collective government.... Whichever way one viewed it, and remarkable for a complex modern state, there was no government beyond Hitler and whichever individuals he chose to confer with at a particular time."[140] Later Kershaw adds:

> It was the direct outcome of an extreme form of personalized rule which had already by the time war began seriously eroded the more formal and regular structures of government and military command that are essential in modern states.... The breakdown of governmental structures in Germany had gone yet further than their erosion in the Soviet state under Stalin's despotism.[141]

In this regard, Bolshevism and Nazism took opposite courses. The Bolshevik government had no preexisting structures to build on and so had to improvise

from the start. Only during the war did Stalin begin to reverse the conse-
quences of these improvisations, introducing decision-making protocols that
amounted to more than a drinking binge the previous night. Hitler's regime,
by contrast, started from more or less developed civil structures. During
the war, these deteriorated into ganglike relations between a leader and his
followers: Hitler's form of address, the Nazi salute, the military's oath to the
Führer.

This deterioration included increasingly brutal forms of state terror such
as the elimination of civil rights, arbitrary arrests, detention in concentration
camps, torture, and murder. Only those who condoned such practices could
find "order" in them. The problem is that many did, and willingness to collabo-
rate was correspondingly high. Here again is Kershaw:

> By June, the numbers in "protective custody"—most of them workers—had doubled.
> A good number of those arrested were the victims of denunciations by neighbors or
> workmates. So great was the wave of denunciations following the Malicious Prac-
> tices Act of 21 March 1933 that even the police criticized it. Just outside the town of
> Dachau about twelve miles from Munich, the first concentration camp was set up in
> a former powder-mill on 22 March.
>
> There was no secret about the camp's existence. Himmler had even held a press
> conference two days earlier to announce it.[142]

Transforming a civil society into a racially defined Volksgemeinschaft *relied
above all else on the direct and indirect complicity of the genocidal community
that Germany became between 1933 and 1945.*

The history of the genocide of European Jews has been told many times and
I will not retell it here.[143] What I want to focus on is its underlying antisemi-
tism and its relationship to violence. The historian Peter Longerich cuts to the
heart of the matter:

> The Nazi regime declared the "Jewish question" a central political problem during
> phases of intensive antisemitic propaganda. In 1933, 1935, and 1938 it conveyed the
> impression that a pure Nazi *Volksgemeinschaft* was to be had only by "liberating"
> Germany from purportedly oppressive Jewish influence. The exclusion of Jews from
> the economy … maintaining the purity of German blood, [and] the "dejewification"
> of public and cultural life were considered basic elements of a comprehensive purge
> needed to realize the ethnic utopia of National Socialism. In all three phrases of
> intensive antisemitic agitation, the regime made plain that the removal of Jews was
> no mere side project but the primary goal. The Nazis used the elimination of Jews
> from all areas of life to expand their basis of power. Antisemitic propaganda thus
> served to indicate the strengthening of the Nazi movement that accompanied the

regime's general radicalization.... [By] 1941 the Nazis had made the Jewish question the central question of the war.[144]

Discussion of German antisemitism cannot escape a certain "yes ... but" dynamic. On the one hand, only a minority of those who voted for the Nazi Party were rabid antisemites. On the other, even those who weren't tolerated the fact that their party vilified and mortally threatened a segment of the population. All Nazi voters experienced antisemitism as a community-forming *we*, some because they were antisemites, others because their fellow voters were. And while Nazi supporters who were not antisemitic may have been, on reflection, displeased with the antisemitic views held by others, this was not tantamount to an objection.

There are other "yes ... but" examples. For instance, evidence suggests that many Germans did not take part in persecutions against Jews, and despite the boycotts a minority of Germans continued to shop at Jewish-owned stores. At the same time, a contemporary report in *The Times* about the mood in Germany describes the "antipathy and distrust toward Jewish business owners" held even by those who did not participate in the boycotts.[145] Likewise, Germans reacted to the November pogrom with widespread disapproval, though much of that disapproval stemmed from irritation at the loss of goods and materials in a time of scarcity. The majority of Germans *did* reject the most brutal practices—arson, pillage, violent assault—yet we also know that children took part in some of the looting.[146] Records show that support decreased as the regime's radicalization increased.[147] Records also show Germans' eagerness to get their hands on the property and apartments of deported Jews. One historian counts 100,000 "benefactors" in Hamburg alone.[148]

What constitutes an antisemite is, particularly in public discussions, surprisingly unclear. For instance, in a recent debate on whether Martin Walser's works contain antisemitic viewpoints, a highly regarded journalist from Hamburg dismissed the possibility on the grounds that Walser never advocated public discrimination against Jews. The other evidence—Walser's remark that he'd like to give the chairman of the Central Council of Jews in Germany a bottle of red wine for Christmas to promote understanding among the "Völker," and the numerous antisemitic-sounding passages from Walser's works identified by Matthias N. Lorenz[149]—carried no weight in this journalist's judgment. That it didn't has to do with the belief, held by many today, that to be antisemitic one has to be a fanatic, and that those who don't embrace fanatic forms of antisemitism aren't antisemites. But this belief is mistaken. Antisemitism is a cultural code at least as old as Christianity whose form has changed over the centuries but whose content, as I will argue later in this chapter, has remained

remarkably consistent. Only on occasion has history produced instances of antisemitism anchored to a worldview or a quasi-religious conviction. Most often, antisemitism surfaces in those moments when people are susceptible to it. A man has some trouble with a merchant who happens to be a Jew and suddenly he's being cheated by a Jewish merchant. Had the merchant been a Swede, the association of origin, profession, and behavior would never have occurred to him. Fanatic antisemites, by contrast, build their entire lives around antisemitic feelings. They not only see Jews everywhere; they look for them incessantly. They are, in most cases, obscenely well informed about Jewish history and Jewish customs, and in conversation they never pass up on opportunity to talk excitedly about their favorite topic. Antisemites of this stamp are called Hitler or Streicher, and they don't remain concealed for long. These people have always been antisemites, and they will take their worldview with them to their graves. Like the mind of the paranoid, their minds are resistant to refutation. If, for Freud, religion is a collective neurosis that spares many people individual neurosis, then, for the fanatic antisemite, antisemitism is a collective psychosis that spares many fanatic antisemites individual psychosis.

But over and above fanatic antisemitism there is the code of antisemitism, which is predicated on the general belief that "there is a problem with the Jews" that derives from Jewish characteristics. People avail themselves of the code when they express their concern that there are too many Jewish doctors, or Jewish journalists, or Jewish actors; when they let it be known that they wouldn't want their daughter to marry a Jew but add that there are many first-rate Jewish men; when they emphasize that Jews are hard working but say it in a tone that is mildly unsettling; when they comment on the intelligence of Jews but then suggest they lack creativity. The field of those who use this code is diffuse. It ranges from those who think that the Jewish problem must be "solved" to those who, when they hear a suspicious-sounding name, merely ask, "Is he Jewish?"

People can be trained to unlearn the code. And after 1945 the code became increasingly taboo. In the late 1960s one of my teachers said, "Hitler offered the Jews to everyone but no one wanted them. What else was he supposed to do?" Ten years later, the same teacher would have lost his job. To what extent the antisemitic code has simply changed form—now manifesting in, say, anti-Israel sentiment—is still debated, but there are indications that it has. I do not want to discuss how evil (and not merely insulting or troublesome) the continued existence of this code is. But it should be obvious that public use of the code changes the moment one group gains power whose worldview or vocabulary is shaped by radical antisemitism. To say at a time when Jews are being driven from the arts that "a disproportionately high percentage of actors are

Jewish" means something different than to say it at a time when Jews are an accepted part of the cultural world. No matter how sincerely or resolutely the speaker rejects the methods of antisemitism, he still affirms its code.

Aside from communicating the belief that "there is a problem with the Jews," use of the code is a means of distinguishing a *we* from a *they*. This can occur—and usually occurs—unconsciously. Albert Speer later said he knew nothing of the Jewish genocide. Everything we now know tells us he lied, even if he himself believed that lie every day of his twenty-year sentence. Speer, who always denied he was antisemitic, wrote the following to his daughter from prison: "I read in the paper that you may be staying for part of the year with a nice Jewish family. If so, you should be very happy about it.... Our doctors in Nuremberg were Jews.... I never had any problems with them."[150] His words verge on caricature, but they reveal an important mechanism: *you can live in the belief that you do not share the murderous obsession of the regime and still share the concept of* we *that grounds it.*

Of course, the antisemitism of the Nazi era went far beyond unconsciously sharing in a sense of *we*. Everyday people displayed radical forms of antisemitism and showed themselves willing to collaborate with the Nazis through acts of denunciation. *Like the Bolsheviks, the National Socialists granted the populace a large degree of participatory power. Unlike the Bolsheviks, however, they specified who was the enemy and who wasn't.* The Nazis did not encourage denunciation generally, and did not erect memorials for informers. *In National Socialism, denunciation strengthened the concept of the* we *and hence belonged to the practice of social trust. But Germans did not participate in denunciation in order to be a part of German society; they already belonged to it by definition. It was thus possible for Germans to denounce purported enemies of the state without fearing denunciation in return.* Friedländer notes that, according to a 1990 study of documents at the state archive in Würzburg, the Gestapo relied mostly on "an influx of informers" for making arrests. "The Nuremberg Laws," Friedländer continues, "offered a kind of vague legal basis informers could use in all possible ways, and during the years following the number of denunciations grew sharply."[151] However, when things later threatened to get out of hand—people were being denounced for events long past—Göring stepped in and ordered that this "nuisance" be put to an end.[152]

In addition to denunciation, seizure of assets, "Aryanization" of businesses, and art theft, Jews also faced violence and its ever-present threat. The Nazi regime carried out boycotts, pogroms, and deportations in broad daylight, and the German press alluded menacingly to the declining number of Jews in Europe. In 1943 the *Völkischer Beobachter* estimated the world population of Jews to be 13.5 million, and cited the highest populations to be in the United States

and Palestine, with 4.8 million and 550,000, respectively. A comparison with the figures from the 1931 *Der Große Brockhaus* indicates that the Jewish population must have shrunk by 1.5 to 2.5 million. Longerich writes: "An alert reader would have been struck by the report that Palestine had the second-largest population of Jews. For it would have meant that the communities *Brockhaus* describes in Poland (3.5 million), the Soviet Union (2.75 million), Romania (834,000) and Germany (564,000) no longer existed in these magnitudes."[153]

Another component of the threat Jews faced came from the German population at large, who had been granted a certain degree of license to use violence on their own authority. Klemperer's diaries describe countless cases of public outbursts, verbal abuse, chicanery, and assault:

[September 16, 1935]: Yesterday a characteristic scene: Traffic jam on Prager Strasse. Crowd of people, cars. A young man, pale, rigid, mad in appearance, shouts without stopping at someone else whom I could not see: "Whoever buys from the Jew is a traitor to the nation, a traitor to the nation! … I said …" and so on and so on ad infinitum. Everyone is disturbed, embarrassed, no one interferes. No police in sight….[154]

[December 2, 1938]: She told us how the SA had mounted the attack in Leipzig, poured gasoline into the synagogue and into a Jewish department store, how the fire brigade was allowed to protect only the surrounding buildings but not fight the fire itself, how the owner of the department sore was then arrested for arson and insurance fraud…. Trude pointed out an open bay window on the other side of the street. It had been open for days; the people have been taken away.[155]

[January 1, 1939]: In Ulm the rabbi was chased (by the mob, that is, by the people, and not just by SA carrying out orders!) around the market fountain with his beard alight and was hit on the hands when he tried to touch his beard; afterward he was in hospital with burns.[156]

[November 1, 1941]: Was for the first time subjected to some abuse the day before yesterday. At Chemnitzer Platz a section of Hitler Youth cubs. "A yid, a yid!"[157]

[March 7, 1942]: The house searches have got as far as Wasastrasse. There Steinberg, the pharmacist, was told: "Why do you not all hang yourselves?" and they *showed him* how to make a noose.[158]

[April 18, 1942]: Just outside our house, a young man, blond and brutal-looking, shouted from his car: "You wretch, why are you still alive?"[159]

[December 21, 1942]: A Jewish lady is stopped by Weser [a Gestapo inspector] as she is coming back from shopping. In the entrance hall he takes her big bag from her, pulls everything out (just as he did with Eva) and strikes her hard in the face with the empty bag. At the same moment, as she stands there blinded, he tugs at her handbag and pulls something out. Later the lady finds her purse missing.—The man is a civil servant….[160]

[December 31, 1942]: Shorty beforehand, coming from the dentist, [Steinitz] had been stopped on Prager Strasse by a Gestapo man: "You've no business being here; clear off onto the side streets!"[161]

[August 17, 1943]: On the way home I was wounded by the abuse of a well-dressed, intelligent-looking boy of perhaps eleven or twelve years of age. "Kill him!—Old Jew, old Jew!"[162]

[November 14, 1943]: A junior officer gets on, fixes his eyes on me. [Klemperer is at the front of a tram, the only section Jews could use.] After a short while: "Get off!"—"I've got permission to travel."—"Get off!" I got off.... The midday journey has been torture for me since then. From one stop to the next I expect a new calamity.[163]

In the course of the Kristallnacht attacks, 267 synagogues were destroyed, 7,500 businesses were vandalized, 91 Jews were murdered, and tens of thousands were placed in concentration camps, where hundreds of the internees would later commit suicide or die from mistreatment.[164] Apart from the November pogrom itself, there were the brutal and obscene headlines of the *Stürmer*, the removal of the names of Jewish soldiers from war memorials, and the "Jews not wanted" signs placed in front of businesses or entire localities. Klemperer describes a placard erected before one of Dresden's outer districts: "No Jews do we want, in our fair suburb Plauen."[165] Plauen would later triumphantly declare itself free of Jews.

Long before everyday Germans knew about what was happening in the concentration camps, they knew that Jews had been outlawed, and many of the early attacks against Jews indicated to bystanders that they were welcome to participate. The beaches along the Baltic and the North Seas are an illustrative example. Even before 1933, public pools and other community swimming areas were a battlefield for antisemites, yet prior to the Nazi regime local initiatives to keep out Jews could be stopped by the government or the courts. After the Nazis came to power and a flood of antisemitic laws and ordinances descended on Germany, the situation changed. Norderney announced that any Jews who attempted to reside on the island did so at their own risk.[166] A 1935 protest at a Baltic Sea beach demanded that Jews leave the area within twenty-four hours. Protesters even managed to drive out Jewish children and caregivers from a nearby orphanage.[167] Some typical beach ads of the time read: "Henkenhagen Beach on the Baltic. No stones and no Jews"; "Vitte Beach on Hiddensee Island (Jews not admitted)"; and "Juist Island with wide, lovely beaches. The Jew-free North Sea shore."[168] Michael Wildt observes, "While antisemites conceived of discriminating measures to define Jews as lower-class citizens in the Reich, the beach initiatives had the intent of excluding Jews generally and

denying them the right of residence."[169] Friedländer quotes from a report written by a town mayor in 1939: "Julius Israel Bernheim was the last Jew to own a house on the Adolf-Hitler-Platz. The inhabitants often went on about why the Jew did not leave. The street in front of the house was covered with inscriptions and, at night, the windows were smashed.... B. sold the house, and on October 2, 1939, he moved to a Jewish old people's home."[170]

Germany was a country ruled not by a government but by a chieftain; it was a place in which part of the population had been outlawed and the other part given permission to exercise violence against the first whenever it wanted; it was a land that methodically went about establishing zones outside the law. These were certainly strange features for, as Kershaw put it, "a complex and modern state."

Another strange feature was the collapse of the state monopoly on violence. If the elimination of the SA in favor of the army was perceived as preserving the state monopoly on violence, the actions against the SA leadership demonstrated that the monopoly would be short-lived. The execution orders came from Hitler, not the courts, and they were carried out by the SS, not the government. It came down to one gang liquidating another. The monopoly on violence crumbled. More precisely: it was dissected into a group of institutions whose respective functions could not be clearly distinguished. Organizations evolved to carry out a new set of responsibilities that combined military and racial objectives and whose activities local commanders could decide to escalate at will.

The SS began as a unit within the SA to protect Hitler and other senior Nazi leaders. Later Himmler assumed leadership and expanded it into a security force and political battalion, including an intelligence service (SD) for spying on enemies.[171] After the breakup of the SA, Himmler assumed control of the concentration camps (the guards, organized into *Totenkopfverbände*, later formed the Waffen-SS) and the Gestapo (directed by Heydrich and, after his assassination, by Heinrich Müller). Himmler was also in command of the entire police force. This included the criminal investigation units (under Otto Nebe), the security units (under Heydrich), and the regular units (under Heinrich Daluege). The Waffen-SS became a parallel army to the Wehrmacht, and by 1945, it had grown to forty divisions and 800,000 men. The so-called *Einsatzgruppen* were formed from members of the security police force and the SD. These death squads carried out mass murders of Jews in Poland and the Soviet Union— sometimes in cooperation with the Waffen-SS, with other SS organizations, or with the Wehrmacht, but usually of their own accord.[172]

What we see in the Nazi regime is a system that took traditional forms of state-monopolized violence and combined them with armed party organizations

and new institutions in a way that blurred the lines between them. This system was held together by a single person—Himmler—who controlled everything but the Wehrmacht and who established offices promulgating an ultranationalist worldview. Though agency functions were subject to neither definition nor restriction, certain administrative rules outside the de facto lawless zone of the concentration camp initially remained in effect. Shortly after war began, however, tensions between the Wehrmacht and the *Einsatzgruppen* in Poland led Himmler to invoke the "special orders of the Führer," which gave the paramilitary units authority to do as they pleased. Leadership of the SS and police, not the military, was to be responsible for deciding who belonged to the "Jewish-Bolshevik" intelligentsia. By freeing the *Einsatztruppen* from the legal hurdles of the Reich's regulated society, these special orders opened the way to genocide.[173]

Attitudes toward the rampages of the *Einsatzgruppen* differed greatly from one Wehrmacht officer to the next. Some believed they were legitimate; others did not. At any rate, local commanders had a certain amount of leeway to decide who was the enemy. Not since 1648 had Europe seen a deregulation of violence like this. *Destruction of the legal foundations of the state monopoly on violence, competition between organizations licensed to use violence, and a war defined by worldview quickly brought a level of extreme violence once thought impossible.*

Michael Wildt points out that despite the lack of transparency and the chaos of the chain of command, the Nazi regime was effective, especially when it came to destruction.[174] Experiments have since shown how "effectiveness" like this can lead to frightful results. In one study, subjects were given the task of improving economic conditions in a fictive third-world country using a computer simulation. Those who took a forceful approach achieved good initial outcomes. But when faced with the negative consequences of their decisions, these subjects often turned to violence, making themselves into virtual dictators. Before long, they had caused remarkable amounts of mismanagement and devastation.[175]

The Reich that was supposed to last a thousand years was over in twelve, six of which were spent in war. When it ended, half of Europe lay in ruins and millions had died horrible deaths: people were shot, beaten, tortured, gassed, incinerated, blown apart; others died from starvation or froze to death. The question whether Germany could have waged a different war is moot, for the Nazis' ends necessitated their means. The question whether Germany could have won is a what-if we cannot answer. Just for the sake of argument, though, pretend it did. Imagine that Britain had withdrawn from the war, that the United States had never entered it, and that Hitler had heeded the advice of his

generals. The result would not have been a modern empire with a twisted world-view and a suppressed sense of historical guilt. It would have been a society that has nothing in common with the modernity we know, not even with its most unpleasant elements. A victorious Germany would have been ruled by warlordlike leaders of state organizations, it would have had an economy based largely on slave labor, and it would have been embroiled in savage wars against insurgents. Much of its culture, no longer relevant to a reality defined by blood-shed, would have soon fallen into oblivion.

The twelve years of National Socialism had far-reaching consequences on how people came to see modernity. If modern civil society could devolve into brutality like this so quickly and with so little resistance, what stability can we expect from modernity at all? *The "we" of the* Volksgemeinschaft *changed collective beliefs about security and threat, introduced real and symbolized forms of autotelic violence into social interactions, and severely undermined the state monopoly on violence. Moreover, the Nazi regime established a completely new kind of institution: cities dedicated to murder—where everything else, even slave labor, was secondary. In these places autotelic violence became a form of life.*

THE LOGIC OF TERROR

"Don't ask why!"
—MAYA KAVTARADZE, QUOTED IN SIMON SEBAG MONTEFIORE, *STALIN*

The reluctance to face squarely and explore fully the phenomena of terror and their implications is itself a lingering phenomenon of the terror.
—LEO LÖWENTHAL, "THE ATOMIZATION OF MAN"

In Michael Frayn's wonderful farce *Noises Off* (1982), about a theater troop's attempt to put on a tawdry sex comedy, one of the actors complains to the director that he can't play his role unless he knows his character's motivation. Why, he wants to know, is he carrying a plate of sardines into the adjoining study? The director responds, "Freddie, love, why does anyone do anything?" The answer brushes off the basic question of all psychology and sociology as unanswerable, and irrelevant anyway. Ought we to leave it at that? Most certainly not. Thinking involves a certain heroism, and Camus' call to imagine Sisyphus as a happy person also extends to the psychologist and the sociologist. At the same time, we shouldn't ignore the director's point entirely. Why do we ask ourselves why someone *does* something but not why someone *thinks* something? When someone thinks something, at most we wonder why he

thinks it's a good idea. When someone does something, we wonder why he does it at all. We are not disturbed by the idea that thoughts could come from nothing; indeed, we would find absurd the claim that people intentionally choose which thoughts to have. We judge thoughts on whether they are right or wrong, relevant or irrelevant, interesting or boring. With actions, we don't only judge the consequences; we also search for the desires that motivate them.

The social game of talking about motives has to be learned, for it's anything but natural. When you ask little children why they did this or that, they answer, "Because I wanted to!" And when asked why they wanted to do this or that, they say, "Because I did!" At some point, they grasp the ethics behind such questions. When someone asks me why I gave a lecture, I do not answer, "Because I wanted to." The person who asked would see this as a snub. I also do not say, "Because I am a vain man and I wanted to prove I had more to say about the subject than so and so." This won't do either, either (though it's certainly one motive for giving a lecture). Rather, I first point out that I was invited to give the talk, that I, in other words, am doing it not for me but for someone else. Then I say something about the importance of the topic. I am modest ("In my view, this question is important today because . . ."), but in a way that makes clear that I am also serving the public good. The underlying ethical issue is this: when we talk about our motives, we seek to legitimize our actions.

We all know motives and actions are not the same, but we all speak of them as if they were. Even on the psychoanalyst's couch, we do not talk about the motives directly responsible for our actions. Why do we forget this? When we think or say or write something, it only affects others if they want it to. People inquire about the thoughts of others to see whether their views are worth adopting. If they are not, it is as if they never existed. The actions of others, by contrast, can encroach on our lives. They can affect what is possible, and sometimes they compel us to act. When we inquire about the motives of *these* actions, we are asking why we should put up with them. This is why we expect certain answers, answers that make it clear to us that the action is in our interest and that this is the intention of its author. This is why we see discussion of motives and legitimization of actions as one and the same. Answers that do not attempt to legitimize actions may seem rude or callous or incomprehensible. They indicate the speaker's ignorance of the game he is supposed to be playing.

In principle, we expect the same kind of answer whether or not the action to be legitimized is violent. Of course, only on rare occasions can the person who inflicts harm claim that it was in the victim's interest. (A doctor performing an emergency operation is one.) Where violence is concerned, what's usually at issue is the legitimacy of the action within the permitted/prohibited/mandated framework.[176] "We are at war" means something like "We are sol-

diers and we must do such things. Individual motives do not matter." "You insulted me" means something like "Normally, I wouldn't have hit you, but you so offended me that my response can hardly be a surprise—tell me why I should have accepted your actions passively." Criminals also seek to legitimize their actions this way. The rapist portrays his action as an understandable male response to the purportedly provocative behavior and salacious dress of his victim. The blackmailer accounts for his behavior by a desire for wealth he assumes we all share, or perhaps by the injustice that his victim is rich while he is not. These explanations cannot justify the crime, but they do attempt to convince us that the underlying motives were not monstrous. Their success rests on a key premise of modernity: while autotelic violence is never comprehensible, locative violence can be, assuming its instrumentality is plain to see.

The same premise is what drives people to interpret acts of terror instrumentally. Such interpretation validates the model of legitimation used by the terrorist, who says that terror was necessary to defeat the enemy, yet it also validates the need of the victim, who asks, "Why me?" No victim of violence wants to hear that he or she just happened to be at the wrong place at the wrong time. It's easier to see oneself as a victim of an intentional crime than as a victim of blind fate. In the former, one is the subject at whom the act is directed; in the latter, one is merely a negligible quantity in the larger scheme of things. This is why, even when it's absurd, some victims blame themselves. It's easier to live with agency than with chance. Or, to put the point differently: we'd rather imagine God to be an evil demon than a child at play.[177]

The problem with instrumental interpretations of terror is that they soon run up against their limits. The first limit is phenomenological. Take a torture camp in any military dictatorship. Once you get beyond the initial horror, once you look closely at how it works, once you read the reports of its survivors, the impression you get is not of a place that pursues political ends with brutal means; the impression you get is of a slaughterhouse gone mad. Particularly disconcerting are reports of people abducted from their homes and subjected to indescribable torment *without ever being asked a single question.* One victim recalled, "The guards told me I was being tortured because I failed to understand that our country has no political freedom."[178] Actions like this one are standard fare in the torture camp. Sometimes victims are told nothing; something they are asked questions to which a certain meaning can be attached; sometimes the torturers are preoccupied by an idée fixe that has more to do with individual neuroses than with political objectives.

Nothing could be more mistaken than to see such responses as attempts at legitimation. We are not dealing here with a brutal parenting style, a tough love approach that says, "This is going to hurt, but you will thank me for it some day."

The person being tortured may have a future, but this is only a possibility. His captors might let him walk or, as in one case, they might throw him from an airplane. Torture is not about punishment; it is about the exercise of absolute power. The words that accompany it are speech acts designed to confirm its absolute quality. To recall once again the remark spoken by the torturer at the Argentinean prison camp: "We are everything for you.... We are God."

There is no negotiation about legitimacy between the one who executes terror and the one who experiences it. Every legitimizing speech act presupposes its own disputability. Indeed, every legitimizing speech act arises from a situation of potential dispute: Was that right? May you do that? *The very act of legitimizing something acknowledges the relativity of one's own power. By precluding such acknowledgment, absolute power eliminates the possibility of legitimation.*

The second limit of instrumental interpretation arises in the relationship between means and ends. Talk of instrumental rationality assumes that a consensus is possible either via the ends (are they legitimate?) or the means (do the ends justify them?). That a consensus is possible does not mean it exists, however. I do not want to imply that historians who seek to understand Auschwitz using instrumental models secretly share a common cause with Rudolf Höß. But they forget that instrumental rationality is always a means of legitimation because—to emphasize again—there is no purely instrumental behavior except in an absolutely technical sense, and even then it does not occur without a context whose goals exceed the means-ends calculus. Adorno summed up the dialectic by saying that our ends are not immune from the means we use to achieve them. *People do not first select their ends and then, only later, consider the appropriate means.* The desire to reach the moon is no accidental flight of fancy but part of a complex fantasy involving rockets most of all. Those who do not care about rockets will not care about moon flight. Not even cooking is subject to purely instrumental logic. Yes, you need salt, but those who do not sense an immediate relation between the ingredients and the fingers that add the pinch or dash will never serve a proper meal.

Instrumental explanations of actions all suffer from a fundamental flaw. No one does something just to do something else. There is always a moment of pleasure in what they do. Wagner's aphorism "being German means doing a thing for its own sake" is not the only explanation of Auschwitz, but without it, we cannot explain Auschwitz at all. The German actor Wolfgang Neuss called it "engagement in the blade." To use a different political example: men who did not like to sleep with men in the same tent, men who did not appreciate the exertion of long marches, men who feared battle, men who did not like the idea of killing fascists, men who were indifferent to the admiring glances of beautiful women did not head off and fight with the international brigades against

Franco. If they had—motivated by abstract conviction, say—they wouldn't have proven very good fighters. Of the many reasons for war, one is that there are many men who like to fight.

Attempts to understand terror according to instrumental logic founder on the fact that terror must suspend the directives of instrumental logic in order to function. Terror is only rational if it produces a sufficient degree of irrationality. This is the logic of terror. Terror is the idea of God as a child at play; terror inflicts extreme psychological damage on its victims; terror always comes unexpectedly, overwhelming our coping strategies. Terror understood instrumentally is not really terror but violence based on rule. Even when terror displays moments of predictable violence, these are only variations of its arbitrariness.

In his novel *Fatelessness*, Imre Kertész tells the story of a fifteen-year-old boy who tries to come to terms with life in a German concentration camp. Soon after arriving in Auschwitz, he sees a spigot and stops to drink. Just then another prisoner stops him: the water is contaminated and might give him typhus. The boy, astonished, wonders why the new arrivals were never told. On further reflection, he surmises that it is logical, given the apparent purpose of the place.[179] It turns out that this conclusion is only partly right. True, in a camp made for killing, it hardly made sense to worry about prisoner health, but the guards did not intentionally poison the water, and they were not eager to have an epidemic, either. Nor did they intentionally make chance part of their strategy. The truth is that they left things to chance because to do differently was not worth the effort. As a result, typhus outbreaks sometimes occurred—and the boy from Kertész's novel gradually loses his sanity precisely because he seeks to keep it.

Stalin's habit of inviting unsuspecting party officials to a meal the night before their arrest—even sending a limo to pick them up for their "well-being"— seems sadistic, and it was. Stalin liked to toy with people, as a cat would a mouse. *His behavior not only suited the system; it perfectly embodied the logic of terror it espoused.* Presumably, systems that follow the logic of terror do not produce characters like Stalin, *but they do offer them an ideal career path*. Sadism at the level of the individual occurs when the power-holder gloats over his ability to decide who lives and who dies, over the disbelief and horror victims feel once they realize the death warrant has long been signed. Sadism at the level of the system occurs when word gets around about sadism at the level of the individual. Cessation of reward, changes in tone, and stern warnings are the usual signs, but what about additional friendliness and praise? Can they be tantamount to a death sentence? And what if the expected death does not come? Was it a false alarm or is this a mere reprieve? Why the devil did those familiar with the system not flee or resign? According to John Keegan, one

reason men fight is because, in battle, *not* fighting is more dangerous than fighting.[180] But in the Soviet Union functionaries had the option of abandoning politics, so why didn't they? The only way to explain why the Politburo remained an attractive place to work is this: *for active participants in a system of terror, the psychological rewards outweigh the risks.* The fact that there were kapos in the concentration camps was not because of the personalities of those who became them. The decision to become a kapo could be faulted only by prisoners who were offered the chance and rejected it, or would have if offered. That many of the kapos *were more brutal than the job required* was because the system of terror provided career opportunities to those who took pleasure in brutality. (That promotion couldn't save kapos from the gas chamber is another matter.) *Absolute power is constituted by the divine attribute of unrestricted arbitrariness: Adam and Eve ate from the tree of knowledge but God planted it.*

The logic of terror also explains the meaning of Stalin's arrest quotas. For anyone who wants to find and arrest actual saboteurs and traitors, the approach would have been absurd. Even those who merely want to maintain the illusion of saboteurs and traitors cannot proceed in this way. We can assume that Stalin and other agents of terror believed the saboteurs and traitors they talked about really existed, if only because, for them, as I argued earlier, the practice of terror was a practice of social trust, and a practice of social trust does not tolerate irony.[181] We can also assume that they did *not* believe that those arrested were guilty to the same degree, since this would have contradicted the purpose of having quotas. Stalin was truly torn between doubt that madness and reality could be distinguished and the conviction that his own practice itself defined reality.[182] The rhetoric of eschatological purge became detached from the traditional models of guilt and innocence. It was not concerned with the individual case (as was Robespierre or Brecht's *The Measures Taken*) but with the defense of the revolution. The historical charge of that worldwide mission converted revolutionary violence into a force of nature that could only move in one direction, like water that bursts from a dam break and drowns all in its path. Another metaphor for such violence might be a net cast wide enough to catch all the desired fish. Some extra fish get tangled in the net, but this is just their bad luck. In Stalin's system of terror, leaders thought it was in everyone's interest that they catch enough, and a wide net was the only way they could be sure they'd succeeded. Because they were not after the obvious candidates anyway, clever disguises did not help the victims. The net caught everyone in its path, and the indiscriminate nature of the strategy increased the sense of terror and helplessness in everyone. *The apparent irrationality of*

Stalin's arrest quotas made perfect sense in the logic of terror, for the quotas served the killers' sense of omnipotence. If they were only after the truly guilty, there would have been rules and the possibility of error. Those who can arbitrarily decide to arrest ten thousand people in region X operate outside human terms of reference. Take, for instance, Yezhov's personal maxims: "Better too far than not far enough." "Beat, destroy without sorting out." "If during this operation, an extra thousand people will be shot, that is not such a big deal."[183]

It is not the case, as Eichmann is said to have claimed, that small transgressions are crimes and large transgressions just statistics, for great crimes appeal to the vanity of the criminal. *If Kierkegaard's Abraham suspends morality for faith, the mass murderer suspends morality for narcissism.* Those with the power of carrying out monstrous deeds see themselves as monumental historical figures. *They do not, according to the old bromide, "dehumanize" those they kill or have killed. They hate their victims to the end, whom they see as chaff before their own greatness.* Stalin told his cronies, "Who's going to remember all this riffraff in ten or twenty years' time? No one. Who remembers the names now of the *boyars* Ivan the Terrible got rid of? No one.... The people had to know he was getting rid of all of his enemies. In the end, they all got what they deserved."[184] The strange thing about this quote is how it brings together the views of the dictator who thought nothing of killing thousands with the views of the moralist who, like Büchner's Robespierre, insists that not a single innocent man has suffered. *Terror, in other words, creates its own enemies. If terror is a practice of social trust, then even innocent victims must be regarded as guilty. And if it is true that terror is a practice of social trust, then today's terror must produce tomorrow's victim, assuring its agents that life will continue as it has.*

The psychological explanation for this is simple. Those who torment, rape, and torture assume they are hated. It is possible that the victim does not hate the perpetrator, but this, as with Stockholm syndrome, is the pathological exception; those who execute terror expect the norm.[185] The assumption is so ingrained in them that it produces strange effects. Victor Klemperer wrote that the only secure place in Dresden where Jews could talk with each other without fearing the sudden appearance of the Gestapo was the Jewish cemetery: "[September 12, 1942]: Yesterday afternoon at the cemetery with Eva.... The cemetery administrator has his house out there; he says he does not need to fear a house search; the Gestapo is afraid of the dead (of *their* dead!)."[186] Everyone has corners in his or her mental household where magical thinking predominates. Arno Schmidt once wrote that whoever claims not to be superstitious claims not to have an unconscious.[187] The graves of their victims gave Gestapo agents the shivers. Here is another example from Klemperer:

Hirschel then waited in another room to be taken away; in this room he met Eger, who had been arrested the same day. After a while Inspector Weser came in—the animal, who also struck us and spat on us. At first he was only taunting: "I hear you said I was the worst—well, you won't see your Community again." At that point a long hospital train went past. "Weser suddenly went into a frenzy, raining blows on both of us. 'You people are to blame for that.… Normally I can't harm a soul, but I want to murder every Jew. I want to kill your two boys as well.… You won't come back.'" This attack of madness fits with what Eva experienced with these people (fear of the evil eye).[188]

Mass terror also contains this kind of superstitious element. Those who see enemies, traitors, and spies everywhere they look are no more in touch with reality than those who fear cemeteries. To be on the safe side, agents of terror produce an overabundance of enemies.

Similar phenomena recur throughout history. In Sparta the Spartiate minority secured their rule over the helot majority with sporadic acts of terror. As a result of their repressive measures, the Spartiates lived in permanent fear of retaliation (door locks from Sparta were much sought after in Greece). To reduce the number of helots, Spartiates are supposed to have assigned helot soldiers to a Spartan army stationed outside the Peloponnesus. They are also said to have posted a proclamation offering freedom to helot veterans who had distinguished themselves in battle. Of the men who came forward, two thousand were selected in a public celebration, after which they were led from the city and butchered. Whether or not this story is true, the intention was clear: to eliminate the helots whose fighting ability and desire for freedom were greatest, and to show the others what to expect for insubordination.[189] The 1957 Hundred Flowers Campaign in China was used for the same purpose (though whether it was conceived as such is unclear). After encouraging the people to voice their criticisms of the regime, Chinese officials arrested the most conspicuous critics and interred them in a prison camp.[190]

The spread of Bolshevism in Russian cannot be understood without the logic of terror. Though the Bolshevik regime saw itself as breaking from Imperial Russia's rule over regions and ethnic groups, the right to self-determination contradicted the Bolshevik centralization of power, and the traditionalism and peasant status of ethnic groups contradicted the idea of an industrialized modernity.[191] The result was a fight against bourgeois elites and priests in the Slavic core regions and against tribal leaders, mullahs, and members of prohibited national parties at the peripheries.[192] But the fight did not end there. In the logic of terror, it extended preventatively to all those who might feel solidarity with the murdered and deported. Soon, entire ethnic groups became subject

to terror. In 1937 it was former Polish prisoners of war who remained in the Soviet Union. Later, it was all Polish spies, and, finally, all Poles. Yezhov believed the Poles had to be completely annihilated. Baberowski writes,

> More than 35,000 Poles were deported from the region along the border between Poland and the Ukraine. Similar deportations occurred with the remaining ethnic groups who had become enemy nations: Latvians, Estonians, Koreans, Finns, Kurds, Greeks, Armenians, Bulgarians, and other minorities who lived in the republics of the Soviet Union.[193]

Baberowski quotes from an Austrian scientist who had been imprisoned by the NKVD in Kharkiv and who later recalled the arrival of national minorities:

> "[T]he news spread that they had arrested the Latvians and then the Armenians. We could not understand the meaning of that. We thought it impossible that the GPU used a criterion for repressive measures as unessential for the political views of a person as ethnicity. Then we heard that on a certain day all prisoners delivered were Latvian. On another they were Armenian."[194]

"We could not understand" is the refrain of those exposed to mass terror. *Ne pas chercher à comprendre* is what one prisoner at Auschwitz carved into the bottom of his soup bowl.[195]

MACBETH

Shakespeare's *Macbeth* is, as I argue elsewhere, a love story imbued with blood.[196] It's also, as I argue in chapter 3, a stage in the history of modern conscience. Yet more than that, and in addition to everything else it represents, *Macbeth* is a commentary on the logic of terror. It's common to interpret *Macbeth* as the story of man destined by witch's prophecy to be Thane of Cawdor and King of Scotland. On this reading, the first part of the prophecy finds fulfillment immediately, the second only after Lady Macbeth persuades her husband to kill the king. This interpretation overlooks two crucial passages in the text, however. A remark of Lady Macbeth's in act I, scene 7 reveals that her husband spoke of his "intent" to murder King Duncan and seize power before he encountered the witches on the heath (I.7.26). What prompts Macbeth to commit the act is less prophecy than Duncan's decision to spend the night at his castle. The prior intent explains his stunned reaction to the prophecy—the prescience of kingship was also the prescience of murder—and his attempt to

calm himself: "If Chance will have me King, why, / Chance may crown me, / Without my stir" (I.3.142–44). Macbeth is reluctant to kill King Duncan because he fears that it will end badly—he knows it cannot be legitimized—but also because he intuits the dynamic that holds sway over him. A born murderer, he will enjoy the act and doing it will pull him in only deeper. After a royal messenger brings news of the title, Macbeth delivers the following aside:

> I am Thane of Cawdor:
> If good, why do I yield to that suggestion
> Whose horrid image doth unfix my hair,
> And make my seated heart knock at my ribs,
> Against the use of nature? Present fears
> Are less than horrible imaginings.
>   (1.3.133–38)

Thought of the deed activates Macbeth's entire imagination. When he finally goes through with it—cajoled by his wife and led to the king's chamber by a phantom dagger—he overshoots the mark. The plan was to drug the king's guards and wipe their clothing in the blood. But once Macbeth tastes forbidden blood, he can't help himself from murdering the guards as well.

This is the psychology of a murderer finding his purpose, but it is also more. Those who seek to grab power must continue the path they've started whether they want to or not. Macbeth knows how much he likes the path. He feels threatened by Duncan's sons, who see through his dilettantish conspiracy, as well as by Banquo, whom the witches foretell will father a line of kings. There's a personal component too. It seems that the Macbeths lost a child and are unable to have another. Shakespeare's play of words with *prick*—"I have no spur / To prick the sides of my intent" (I.7.26)—is an allusion to *The Rape of Lucrece*.[197]

When Macbeth sees the spirit of the murdered Banquo at a royal banquet, he loses control, and his wife must make excuses to the guests for his behavior. Later the roles reverse. Macbeth keeps his cool, while Lady Macbeth starts on the path that leads to her madness:

> MACBETH: It will have blood, they say: blood will have blood:
> Stones have been known to move, and trees to speak;
> Augures, and understood relations, have
> By magot-pies, and choughs, and rooks, brought
> forth
> The secret'st man of blood.—What is the night?

LADY MACBETH: Almost at odds with morning, which is which.
MACBETH: How say'st thou, that Macduff denies his person,
At our great bidding?
LADY MACBETH: Did you send to him, Sir?
MACBETH: I heard it by the way; but I will send.
There's not a one of them, but in his house
I keep a servant fee'd. I will to-morrow
(And betimes I will) to the Weïrd Sisters:
More shall they speak; for now I am bent to know,
By the worst means, the worst. For mine own good,
All causes shall give way: I am in blood
Stepp'd in so far, that, should I wade no more,
Returning were as tedious as go o'er.
Strange things I have in head, that will to hand,
Which must be acted, ere they may be scann'd.
LADY MACBETH: You lack the season of all natures, sleep.
MACBETH: Come, we'll to sleep. My strange and self-abuse
Is the initiate fear, that wants hard use:
We are yet but young in deed.
　　(III.4.122–43)

Macbeth, still under the spell of Banquo's spirit, goes on about an indignant nature. The insight that blood demands blood is ambiguous, though: spilled blood screams for revenge but one deed entails the other. Suddenly Macbeth becomes calm. He asks the time, whether Macduff was at the banquet. With spies positioned everywhere, he is far enough along in the business of tyranny to know what it means when people avoid his company. He plans to attend to the matter with Macduff the next day. In the meantime he seeks out the witches, who have sunk to the level of informers. He wants to know what awaits him in the worst case. As for the blood and the murder, he'll have to get used to that; those who cross a line do well to continue on the path they've chosen. He overcomes the terror of the apparition and provides an interpretation of his behavior: the nervous convulsions of a novice who could say "we are yet but young in deed." In Philipp Casson's staging of the play, Lady Macbeth, played by Judy Dench, feels something close to bodily pain as she hears him speak these words.

But Macbeth makes a mistake. He squanders time with the witches—the new prophecy gives him nothing but a false sense of security—and when he reaches Macduff's castle, the Thane of Fife has already set out for England. Macbeth resolves to follow his intuitions from now on:

Time, thou anticipat'st my dread exploits:
The flighty purpose never is o'ertook,
Unless the deed go with it. From this moment,
The very firstlings of my heart shall be
The firstlings of my hand. And even now,
To crown my thoughts with acts, be it thought and
done:
The castle of Macduff I will surprise;
Seize upon Fife; give to th'edge o'th' sword
His wife, his babes, and all unfortunate souls
That trace him in his line. No boasting like a fool;
This deed I'll do, before this purpose cool.

    (IV.1.144–56)

In other contexts, throwing caution to the wind so thoroughly would indeed amount to boasting like a fool. In this case, distrust, emotion, intuition, and speed of action are one. When a usurper starts killing Scottish nobles because of the harm they might do to him, where is the sensible place for him to stop? Macbeth submits to the logic of terror by which every terrorist act provides the motive to commit another. He throws himself into this logic because he has arrived at the point to which he was drawn from the beginning. But Shakespeare is not satisfied with showing us Macbeth's psychological motives alone; he also points us to that general paradigm of action inherent in terror.

WHY THE JEWS?

Arendt begins the first chapter of *The Origins of Totalitarianism* by criticizing the standard accounts of antisemitism. The first is the so-called scapegoat theory: the ease with which the Jews—"an entirely powerless group caught up in the general and insoluble conflicts of the time"—can be blamed for anything. The problem with this explanation is its arbitrariness: "The best illustration—and the best refutation—of this explanation, dear to the hearts of many liberals, is in a joke which was told after the first World War. An antisemite claimed that the Jews had caused the war; the reply was: Yes, the Jews and the bicyclists. Why the bicyclists? asks the one. Why the Jews? asks the other."[198] The other theory is that of an "'eternal antisemitism' in which Jew-hatred is a normal and natural reaction to which history gives only more or less opportunity."[199] What makes this view so "dangerous and confusing" is that antisemites and Jewish historians both share it. The former use it to justify their hate as natu-

ral; the latter use it to tell a story of constant suffering. According to Arendt, both ways of accounting for antisemitism evade careful study of history and politics and hence free Jews and non-Jews from their respective responsibility for it.

My interest here is not to reconstruct Arendt's complex analysis of anti-semitism and totalitarian rule. I only want to ask whether, contra Arendt, the theory of "eternal antisemitism" has something to it. Not insofar as it is literally "eternal" but insofar as it is continual. This is not to claim that a seamless continuum exists between Christian hatred of the Jews in the Middle Ages and antisemitism in the nineteenth century. But it is too simple to see the former as the result of a religious dispute and the latter as the result of a biological construct. The Gospel of Matthew does not merely criticize Judaism; it accuses it of deicide. After Pilate washes his hands, the Jews damn themselves: "His blood be on us, and on our children" (Matt. 27:25). This is the kind of damnation baptism was meant to cleanse. Except in the case of converted Jews, it didn't help. Murder and forced baptism went hand in hand during the first great Jewish persecutions, immediately preceding the Crusades.[200] A second wave of Jewish persecutions, during the Black Death, blamed all Jews, even the baptized, for various and sundry offenses, from poisoning the water supply to defiling the Eucharistic bread.[201] The nineteenth-century historian Robert Hoeniger writes, "The hate in these persecutions was so deep that in places where there were no Jewish residents … officials identified baptized Jews and burnt them at the stake."[202]

The persecution of Jews who had converted to Christianity was predicated on the belief that once a Jew, always a Jew. The racial aspect was not lost on later commentators. Victor Klemperer noted the similarity between the Nuremberg Laws and the laws of Spain in the fifteenth century, and the historian Benzion Netanyahu speaks of the "rise of racism" during this time.[203] It was an atmosphere in which religiously motivated anti-Judaism easily transitioned to racist antisemitism.[204] By the time the Moors surrendered control of Granada in 1492, outrages against Spanish Jews had become something of a tradition, ranging from spontaneous massacres to the perverted Disputation of Tortosa, about which Heine wrote a dreadful poem.[205] Shortly after Granada fell, Ferdinand and Isabella gave Spanish Jews an ultimatum: accept Christianity or leave the country within four months. A hundred fifty thousand Jews left Spain, while fifty thousand converted and remained. This should have solved Spain's "Jewish problem," except that the Spanish continued to see the conversos as Jews. This is why they insisted on identifying them as Marranos; had they seen them as true Christians, there would have been no need for the linguistic distinction. The old "Jewish problem"—the presence of Jews in a Christian country—

became a new "Jewish problem": the suspicion that the Marranos were still really Jews, secretly following the Jewish faith and its customs. Officials spied on conversos, asked the butchers if they were buying pork, checked whether smoke rose from their chimneys on Shabbat. Denunciations, arrests, and killings began soon thereafter. Marranos who, following the Inquisition's call, voluntarily confessed to practicing Judaism risked being banned from their professions.

There was certainly reason for the Spanish to harbor doubts: they had forced the Jews to convert, after all. But the real problem was that, like Germans in the nineteenth century, the Spanish did not believe in Jewish assimilation. For them, a Jew would always be a Jew. The more Jews assimilated, the more reason the Spanish had to suspect a cunning deceit. *It is here that the logic of terror took over: persecution became its own rationale and the persecuted group became a racial community.*

The Spanish laws were no doubt precursors to German racial policies, even if never studied as such. Like the architects of the Nuremberg Laws, the Spanish had to decide who belonged to what group. According to Spanish law, a Jew was anyone descended from a convert. The concept of *limpieza de sangre*, purity of blood, served to prevent the groups from mixing. Léon Poliakov writes about a racial ideologue named Escobar del Corro:

> According to him, the relation between the body and the soul was perfectly rigid, and moral attributes were transmitted genetically in the same way as physical characteristics. Denying free will, this Christian proclaimed that … the *conversos* were irremediably tainted. This "anthropology" led him to lament this misfortune of Spain, exposed to the Jewish contagion until the end of time, "subjugated by the Sabbath-worshippers and their infected progeny."[206]

Arendt points out that antisemites absurdly use the idea of "eternal persecution" to legitimize their actions. Equally mad is the argument that, as Jean-Paul Sartre put it, "there must be something about the Jews."[207] It is as if someone who didn't like tomatoes were to say there's something not quite right about them. Still, the argument surfaces time and again. When Lessing published *The Jews*, people told him that after everything the Christians did to the Jews, someone as upstanding as his play's protagonist was implausible.[208] The Christian nationalist Heinrich von Treitschke made a similar argument in an 1879 article titled "Unsere Aussichten" (Our Prospects). There he called on Jewish citizens to accept "that we are a Christian people and want to remain one."[209] He argued that in Germany society having one's own public religious or cultural identity is impossible. The Jews "must adjust to the customs and ideas of their Christian fellow-citizens.… All that remains is for our Jewish

fellow-citizens to decide wholeheartedly to be Germans."[210] To this end, he advocated a mixing of the "races" so that the "Germanic" could eventually absorb the "Semitic." He acknowledged that some Jews would be unable to assimilate: "There has always been an abyss between Europeans and Semites, since the time when Tacitus complained about the *odium generis humani*. There will always be Jews who are nothing else but German-speaking orientals."[211] Treitschke specifically cites the difference between Western and Polish Jews: "We Germans … have to deal with the Jews of the Polish branch, which bears the deep scars of centuries of Christian tyranny. According to experience they are incomparably more alien to the European and especially to the German national character."[212] On reading these sentences, the German Jewish philosopher Manuel Joël could only shake his head. In an open letter to Treitschke, he reminded him that "the Polish Jew is the German Jew expelled to Poland." He then underscored another crucial point:

> If, as you write, "centuries of Christian tyranny" were committed against the Jews, how do you reconcile your sense of justice to the fact that the offspring of the mistreated must atone for the sins of their tormentors? Do you interpret the (for world history no doubt bitterly accurate) verse about God visiting "the iniquity of the fathers upon the children" in such a way that children must now atone for the sins of other people's fathers?[213]

The idea that the mistreated must atone for the sins of their tormentors is an ultimate consequence of the logic of terror.

In a follow-up essay to "Unsere Aussichten," Treitschke gets to the heart of the matter: "There is no disputing that many noble, highly talented nations have wreaked pernicious and—I don't hesitate to say—diabolic forces … on the Jewish people, and on them alone."[214] The remark left the Jewish historian Heinrich Graetz dumbfounded. "According to this logic," Graetz writes in an article for the *Schlesische Presse*, "because Jews were wrongfully, cruelly, 'diabolically' persecuted for 1,500 years they must continue to be persecuted."[215] Herein lies the answer to the question "Why the Jews?" Voltaire exemplified its logic. He criticized slavery and the mistreatment of minorities, but he still used past persecution to justify the inferiority of the persecuted, and with it the legitimacy of his own racist and antisemitic views. "The Jews," he wrote, "were regarded with the same eye as we see Negroes, as an inferior species of man."[216]

This answer doesn't explain why there are antisemites or what kind of people they are. Sartre, in his essay on the Jewish question, convincingly argues that only the character of the antisemite, not his object of hate, can explain the obsessive nature of antisemitism.[217] This argument also applies to the ideas

antisemites have about Jews. Though the ideas have changed over time—the way today's antisemites see Jews differs from they way antisemites in the Middle Ages and the nineteenth century saw them—a core remains the same. The old topos of the avaricious Jew has become, post-Holocaust, the wealthy Jew who exploits German guilt. The modern stereotype recalls Treitschke's ideas about the resentment of the persecuted: here again, a crime's consequences serve to legitimize it. (Owing to Germany's postwar prohibition of public expressions of antisemitism, this legitimation surfaces today indirectly, in claims that the scope of genocide has been exaggerated.)

Psychological projection—accusing Jews of secretly doing to others what they suffered themselves—also recurs throughout history. Murder of Jewish children produced tales of Jewish ritual murder; widespread Jewish persecution led to rumors of a global Jewish conspiracy; the exile of Jews from Spain aroused suspicions that Jews were responsible for the Reformation. In 1944 Victor Klemperer read the following in the *Dresdner Zeitung*: "'The German state is to be wiped from the map, the Germans are to be dispersed over the whole globe as labor slaves.' 'Driven on by insane Jewish fantasies of hate' the enemy wants to exterminate us entirely."[218] It's all there: hate, disperse, enslave, exterminate. Today's antisemites cite the Bible to claim Jews were the first to commit genocide and refer to Palestine to claim that nothing's changed. Though Arendt is right to emphasize its specific historical circumstances, and despite its wide variety of forms, antisemitism has been a constant of Western history. And it continues to suit the needs of antisemites because it has proven itself for so long as a means to legitimize and understand their actions.

WHEN THE IMPOSSIBLE BECOMES POSSIBLE

The most difficult scene to stage in *Richard III* is the one where Richard proposes to Lady Anne at the funeral of King Henry. As you will recall, Lady Anne is the widow of Prince Edward and the daughter-in-law of King Henry. As you will also recall, both their deaths were Richard's doing. Every staging I know must skirt the sheer implausibility of courtship under these circumstances. Richard Loncraine's film adaption (1995) comes closest to producing a believable exchange. In his version, Anne is in a morgue mourning over the body of King Henry when Richard enters and declares his love. This, he tells her, is why he killed Edward, and he culminates the seduction by giving Anne a ring from his right hand. He dips his finger into his mouth and pulls the ring off with his teeth—his left arm is crippled—and slides it onto Anne's finger.

Loncraine is on the right track: he persuades the viewer to believe the un-believable not despite its vileness but because of it. What he doesn't do is per-suade the viewer that Anne believes the unbelievable too. What might a suc-cessful staging look like? Take this hypothetical scene. Richard and Anne are in a chapel, the body of King Henry laid out before them. Anne holds a lit candle; the rest is dark. When Richard explains that he killed Edward out of love for her, Anne drops the candle and the flame expires. Richard picks up the candle with his good arm, places it in her hand, and holds a lighter to it. While they talk, he takes the candle from her and uses it to light other candles around them. He illuminates a world previously unknown to her, and she follows right along. The point I'm driving at is this: Richard's attempt to justify the murder of a man with the argument that he's in love with his widow is absurd. The only way such an absurdity could open a world of new possibilities is if the ad-dressee had already accepted it as fact. If Anne believes it possible for Richard to explain the murder of her husband by asking for her hand, then anything's possible—even marriage to the man she most despises.

The little bishop saw the secret to his success in his indifference to people and their rules, and he was right. Morality obtains as an abstract entity outside the world no more than we do. Morality is, as Hegel said of philosophy, "its own time apprehended in thoughts." There is no *ought* without a relation to the everyday, be it in affirmation or critique. For every critique requires an affir-mation as its foundation, and such affirmation exists nowhere save in the real-ity we find before us. This is what Hegel meant by "determinate negation." The foundation for the determinate negations we make of our reality derives from nothing other than social trust. *Social trust consists of the normal expectation that life will continue as it has, which includes the belief that certain things just won't happen. If that which we thought impossible suddenly does occur and dom-inates life, it initially elicits in us stunned incomprehension. If life goes on despite it all, we adjust to the new set of conditions—and henceforth reckon on them.*

The inner logic of terror prevents the adjustment from ever being complete, but some people do succeed in adjusting in part, provided they don't lose their minds in the process. For instance, new arrivals at German concentration camps were advised by the other prisoners to keep up basic hygiene. Such ad-vice may have seemed ludicrous under the circumstances, but it was no joke. To stand a chance of survival, prisoners needed to fashion a degree of nor-mality in a place that had none. Though lice were inevitable, their numbers had to be kept in check, and though there was nothing to protect prisoners from the arbitrary violence of the guards and kapos, they had to stand straight at roll call all the same, otherwise they most certainly would have received a beating, or worse. Faced with such an environment, prisoners had to transform

their sense of social trust. They had to see some normality in extreme non-normality and maintain the belief that they'd somehow pull through. This sheds light on why the revolt of the Auschwitz *Sonderkommando*—the group of detainees responsible for emptying the gas chambers and burning the bodies—found little support among the camp's other prisoners. The members of the *Sonderkommando* had nothing to lose; they knew they'd all be killed in the end. The rest still had a glimmer of hope. Those who failed to modify their sense of trust accordingly did not survive. On the other hand, those who did survive, those who did adopt a new sense of trust—even those who did so under less extreme conditions—were appalled by the fact of their survival once life returned to normal.

Large-scale violence creates a world maintained and stabilized by violence. Those subject to such violence may adapt—they may come to trust in violence—but they often have great difficulty readjusting to what had once been their everyday life. This is what it means to be traumatized. The experience of that which was once thought impossible never leaves you. The world may be normal again, but the impossible still remains possible. Those who've experienced hunger may never again pass up an opportunity to buy an extra loaf of bread. Those who've experienced thirst may never again let water on their restaurant table go undrunk. Those who've experienced armed assault may never again fall asleep without a knife under their pillow.

TRUST IN VIOLENCE AND THE ROLE OF PERSONALITY

Earlier I cited Simmel's idea that individual and society harmonize in vocation and named Stalin as its gruesome embodiment. In *The Road to Serfdom* (1944), a work John Searle singled out as the most important book of the twentieth century, Friedrich von Hayek offers a theory of personality that generalizes Stalin's case. In chapter 10, titled "Why the Worst Get on Top," Hayek identifies the typical characteristics of the leaders and supporters of totalitarian regimes. First and foremost, these individuals display a willingness to use violence to achieve a goal under which all else is subordinated. Such behavior presupposes intellectual inflexibility, fanaticism, gullibility, and an us-versus-them mentality. This last attribute, writes Hayek, "is an essential ingredient in any creed which will solidly knit together a group for common action."[219] The reason is that "it is easier for people to agree on a negative programme, on the hatred of an enemy, on the envy of those better off, than on any positive task."[220] The us-versus-them distinction is also needed because groups are necessarily particularist:

It may, indeed, be questioned whether anyone can realistically conceive of a col-
lectivist programme other than in the service of a limited group, whether collectiv-
ism can exist in any form other than that of some kind of particularism, be it na-
tionalism, racialism, or classism.... It is a necessary consequence of this view that a
person is respected only as a member of the group, that is, only if and in so far as he
works for the recognized common ends, and that he derives his whole dignity only
from this membership and not merely from being a man. Indeed, the very concepts
of humanity and therefore of any form of internationalism are entirely products of
the individualist view of man.... To act on behalf of a group seems to free people of
many of the moral restraints which control their behavior as individuals within the
group.[221]

A few pages later he adds: "[T]here is literally nothing which the consistent
collectivist must not be prepared to do if it services 'the good of the whole,'
because the 'good of the whole' is to him the only criterion of what ought to be
done."[222]

   *Gaining and maintaining power both requires ruthlessness and brutality and
inculcates these qualities in the people*. Those to whom traditional moral ideas
mean something will find little appeal in these attributes. The indecisive and
the hesitant will either adopt them or fail trying. But "for the ruthless and un-
scrupulous," Hayek writes, "there will be special opportunities." And, "There
will be jobs to be done about the badness of which taken by themselves nobody
has any doubt, but which have to be done in the service of some higher end,
and which have to be executed with the same expertness and efficiency as any
others.... [T]he readiness to do bad things becomes a path to promotion and
power."[223]

   The history of Bolshevism and National Socialism proves that Hayek's char-
acterization is anything but caricature. Yet the power achieved by these re-
gimes required more than the readiness to do bad things. Many have pointed
out that their leaders inspired little confidence. Not simply because of Stalin's
grammar (what political leader speaks perfectly?) or because Göring looked
like a bloated carnival prince, Goebbels a devil in a stage melodrama, Himm-
ler a schoolmaster, and Hitler a second-rate Chaplin imitator (what political
leader is good-looking?). Most of all they failed to inspire confidence because
they were obviously incompetent. For instance, Göring's Luftwaffe could not
protect the German population, and by 1941 Wehrmacht soldiers were dying
by the tens of thousands in the Soviet Union.[224] What prevented mass revolt
was the combination of state terror and provisions for ethnic Germans in
conquered territories.[225] But there was another factor, too. Stalin's and Hitler's
regimes each created an order and normality ensuring that life would continue

as it had. Every attempt to return to normality outside the regime would have been a leap in the dark. This is why so few undertook active resistance, and why those that did seemed so helpless. (The failure of the Kreisau Circle to imagine a post-Hitler state has left historians debating ever since about what German resistance sought to accomplish in the first place.) The core of the success achieved by Bolshevism and National Socialism lay precisely in the creation and preservation of a new order. The trust of the people rested on the knowledge that their leaders had built that order and possessed the personal attributes needed to uphold it. The people did not trust the leaders despite the fact they were unscrupulous brutes; they trusted them because of it.

TRUST IN VIOLENCE AND SELF-TRUST

> It is indeed the most just penalty for sin that we should lose what we were unwilling to use well, since we could have used it well without the slightest difficulty if only we had willed to do so; thus we who knew what was right but did not do it lost the knowledge of what is right, and we who had the power but not the will to act rightly lost the power even when we have the will. Indeed, all sinful souls have been afflicted with these two punishments: ignorance and difficulty.
>
> —AUGUSTINE, *ON FREE CHOICE OF THE WILL*

> Is the man *only* mentally ill, or is he a criminal?
>
> —KLEMPERER, *I WILL BEAR WITNESS*

Were the world's great tyrants mad? This question never fails to fascinate. Yet what's most fascinating is not the answer. Some monstrous rulers were certainly ill in a clinical sense, and would have behaved abnormally whatever their lot, but most were not. We are nevertheless tempted to call people insane who wreak large-scale terror and destruction on others. What else are we supposed to call them? Such argumentation is more or less circular and explains little, but it's also what makes the question interesting. With certain positions of power the question of mental health has no meaning. The Roman emperor Nero was known for his cruel eccentricities. In *Lives of the Caesars* Suetonius writes: "It is believed that he … conceived a desire to throw men still living to be torn up and devoured by a friend from Egypt who would consume raw meat and whatever was given him. Excited and thrilled by these enormities, which he regarded as achievements, he declared that not one of his predecessors had known what he might do."[226]

The German historian Alexander Demandt calls the office of Roman emperor "an unparalleled anthropological experiment in European cultural history," where one could live life "with minimum restraint and maximum freedom."[227] But even when rulers embodied the proverbial "madness of the Caesars," it's difficult to say what was owing to individual illness and what to the pathology of unrestricted power. The Roman emperors are striking not only for the cruelties they committed but also for the policies they implemented.[228] Aloys Winterling contends that Caligula's strange ideas—in particular, his belief that the people should worship him as a god—were a response to a problematic system of governance he inherited from his predecessors. Augustus had created a de facto monarchy that nevertheless ruled as if republican structures were still in effect. He called on senators for advice, but he knew they would tell him only what he wanted to hear. With the less flexible and less politically talented Tiberius, this arrangement veered toward farce: Tiberius took things at face value and did not rule as an emperor. The senators, prepared to serve a monarch, saw in Tiberius a man who neglected his duties. Caligula circumvented possible communications problems by taking his de facto power at its word—or better, at its deed. A famous anecdote circulating at the time has it that once, when Caligula fell ill, a senator volunteered to sacrifice his own life to the gods in return for the emperor's good health. Before the senator could make good on his offer, Caligula's condition improved. But instead of rewarding the senator handsomely for his loyalty, Caligula ordered him to commit suicide.[229]

In another famous anecdote, Caligula made his favorite horse a consul and equipped it with the tableware and attendants of a Roman aristocrat. As Winterling observes, this mockery of the Republican vestments "made the consuls not only look ridiculous. [It] … expressed a societal truth that was highly unpleasant for the Roman elite: everyone in the aristocratic society was at the emperor's disposal."[230] Again, the question poses itself: was someone like Caligula insane, as Suetonius believed, or was his behavior an attempt to turn a form of government that had become impractical into an unqualified absolute monarchy? Again, I note that the question loses its meaning when power exceeds a certain point.

The insane acts performed by people at the top of extreme hierarchies are of a piece with the strange phenomena that occur under the logic of terror. Consider, for instance, the Gestapo raids of Jewish houses in Dresden. Agents rifled through everything, screamed, and beat residents, just as we'd expect.[231] But there were also surprises. One Gestapo agent stole a woman's wallet while he was checking her shopping bag for prohibited food items. Other agents looted

apartments. Klemperer took stock after one incident: "All bread was gone, an untouched two-pound loaf, a packet of matches, all the soap in the bathroom, almost all the sugar, a five-mark note from my wallet. Terrible!"[232] What is unexpected about these cases is the symbolic self-debasement on the part of the Nazis. Here were representatives of the powers that be, agents of the victorious state, specimens of a purportedly superior race, who felt the need to steal from an impoverished, exiled, and downtrodden people.

We *could* understand such senseless bullying and humiliation as the first-person narrator in Kertész's *Fatelessness* does: from the standpoint of overall intent. In this sense, the actions of the Gestapo were part of a program of state terror. Klemperer reports of agents forcing people to carry bags up and down stairs, or brutally beating a man only to dress him in a top hat, press a chamber pot in his hands, and lock him in a cellar.[233] The humiliation of prisoners at Abu Ghraib is alleged to have had a similar function, geared to the specific sensibilities of Muslim men. We *could* understand these practices from the standpoint of overall intent, that is, *were it not for the enraging and unsettling sense of innocent joy displayed by their perpetrators.* This was the most disturbing part about the Abu Ghraib photos. One can see it too in the episode with the man who was locked in a cellar. This is the kind of punishment parents once gave their children. It's also the kind of punishment that children fantasized of giving their parents in return. The top hat and the chamber pot stood for zones of the adult world from which children were barred. The Gestapo's actions—*sending a dignified father into the cellar with a potty in his hands*—were the revenge of children gone mad. Here is Klemperer's description of events the previous day:

> Downstairs yesterday these people found, among other things, a bowl of spinach; the contents were thrown in the ladies' faces and smeared over their dresses; they also painted it on the bathroom door. Up here everything stank of garlic: A couple of bulbs, which had been lying on the balcony, had been cut into small pieces and distributed in the various rooms and could not be discovered at once.[234]

Another woman "was spat upon and besmirched again and again. A tube of toothpaste was squeezed out all over her bedding, ersatz honey over her bed-side rug."[235] The key to this episode is the spinach, whose bloblike appearance when cooked is jokingly equated with cow shit in the German oral tradition.[236] On a symbolic level, the Gestapo were smearing excrement on faces, clothing, and bathroom doors. They took pleasure in everything that could be smeared or that stuck or was hard to wash out. They also took pleasure in prohibited smells. "The onion is the Hebrew's fare," wrote the jovial Wilhelm Busch, but garlic was the vegetable with which Jews were most often associated. The Ge-

stapo acted like merry children set loose, tickled to death with their own be-
havior. They even pinched some money and ran, on top of it.

The psychoanalytically minded, schooled on Freud's *Three Essays on the
Theory of Sexuality* or Erich Fromm's *The Anatomy of Human Destructiveness*,
will not fail to connect the anal with the sadistic.[237] The connection is correct,
but the question posed at the beginning of this section remains. The acts of
the Gestapo agents lend support to an anal-sadistic character, but would the
psychoanalyst arrive at this diagnosis if he or she knew only of the agent's pri-
vate life? It is reasonable to surmise that certain kinds of people are attracted to
certain kinds of organizations based on reputation or uniform or their public
comportment. History, however, teaches us something else: *in some situations
people assume character traits that seem essential to their personality but that in
other situations cease to dominate. This does not mean that anyone is capable of
anything. It does mean that a great many people are capable of a great deal of
wrongdoing. Those who are unwilling or unable to do such things leave the frame-
work in which they occur, either actively, by physically removing themselves, or
passively, by disregarding orders.*

Let us look at a few more instances of the bizarre behavior that accom-
panies extreme violence and hierarchy. On November 12, 1938, two days after
Kristallnacht, Göring convened a conference of high-ranking Nazi officials.
In his opening remarks he explained the purpose of the meeting: "I received a
letter that Bormann, the Führer's Deputy's chief of staff, wrote to me on in-
struction from the Führer, according to which the Jewish question should now
be dealt with in a centralized way and settled in one form or another."[238] Göring
made it clear that the regime was serious about "settling the Jewish question."
He did not spell out the means, but this was also the point: vagueness of this
sort—"in one form or another"—never serves to restrict; it signals that tradi-
tional concerns no longer matter. First on the conference agenda was the remu-
neration of damages caused during the pogrom. Eduard Hilgard, a representa-
tive of the German insurance industry, expressed serious concern. Friedländer
writes, "The windowpanes alone destroyed in Jewish shops were insured for
about six million dollars, and because the glass was Belgian, at least half of this
amount would have to be paid in foreign currency." But Göring allayed Hil-
gard's fears by issuing the orders he'd already received from Hitler two days
before: "The Jews would bear all the costs of repairing their businesses; the
Reich would confiscate all payments made by German insurance companies."
"The Jews of German citizenship," Göring concluded, "will have to pay as a
whole a contribution of 1,000,000,000 RM to the German Reich."[239]

Göring did not claim that the victims must pay for what the Germans did to
them; he claimed that the Jews as a whole were liable for the material damages

inflicted on a portion. Once the Nazis threw law and plausibility to the wind—once, in other words, the logic of terror had taken hold—the sky was the limit. Six million dollars? Why not thirty million marks? Or one hundred million? Hell, why stop there? Let's call it an even billion. Göring, unencumbered by conventional obstacles, proceeded quickly to the next topic: "I am of the opinion that it is impossible to have Jews seated next to Germans at variety shows, cinemas, or theaters; one could eventually envisage later that here in Berlin one or two movie houses be put at the disposal of the Jews in which they could present Jewish films."[240] (It's all too easy to imagine Göring's cockiness as he spoke the words "one or two movie houses" or the way he must have crowed "could present Jewish films.") Next up was the introduction of separate train compartments for Jews. Goebbels, the legalist, wanted to pass a law ensuring that all Germans had seats before Jews could board the train. Göring responded by turning out the thug: "Should a case such as you mention arise and the train be overcrowded, believe me, we won't need a law. We will kick him [the Jew] out and he will have to sit all alone in the toilet all the way!"[241]

Though Göring announced at the beginning of the conference that he would provide a coherent summary of the Jewish question, he soon became wrapped up in the creative pleasure of unleashed violence. In this regard, the crapper makes its appearance right on cue, though I'd sooner assign the anal-sadistic component of the conference to the self-restrictions contained in Goebbels's legal recommendations. Like the smearing of the spinach/excrement, the pleasure of defying prohibition—shitting on it, dumping one's filth on the world—is an impulse that stems from earlier stages of the psyche. One of the "no trespassing" rules proposed by Goebbels banned Jews from entering the German forest. "Nowadays, packs of Jews run around in Grunewald," he explained. "It is a constant provocation, we constantly have incidents. What the Jews do is so annoying and provoking that there are brawls all the time."[242] Goebbels wanted order. Göring amused himself royally, and proposed what he thought was a much better idea: place animals that resembled Jews in certain parts of the forest and permit Jews to use only those areas. "The elk has a crooked nose like theirs," he said, giving one example.[243] After Himmler steered the discussion toward administrative matters such as forced emigration and mandatory badges, the conversation lost its momentum. They debated the pros and cons of the ghettos. Goebbels suggested a few more things to prohibit, and Göring, satisfied, said, "I would not wish to be a Jew in Germany."

What we have here is a gang of adolescents, each playing a different role: Himmler, the captain in waiting; Goebbels, the unathletic best friend who's particularly fond of his leather trench coat; Göring, the bully and class clown. All wanted to look good in front of their absent leader. More than anything else,

though, they took indescribable pleasure in the knowledge that a group of people was completely at their mercy. Each fantasized about the thing he found most amusing: the one liked to deport and transport (perhaps he had a model train set at home, too?); the other liked to prohibit and barricade; the third liked to humiliate and defile. Someone might say I am trivializing them, but is this really caricature? Is it really harmless when adults in unprecedented positions of power abandon themselves to infantile urges, unchecked and without compromise? *This mad one-sidedness is the best psychological prerequisite for indifference and for regressive pleasure in indifference. It eliminates civilization's discontent by eliminating part of civilization itself.*

I would like to consider another case in which madness and terror overlapped during the Nazi era: human experimentation.[244] There is debate today about whether treatments that result from studies violating medical ethics should be permissible for use. The pro argument: anything that saves human lives must be used, even if discovered under criminal circumstances. The con argument: using such studies in this way could legitimize doctors who use medical progress to justify murder. I don't purport to offer a general answer to the question. It is clear why we prohibit such experiments today, but this is beside the point. As for treatments made possible by prior ethical breaches, the dilemma cannot be solved once and for all but case by case, and will be fraught either way.[245]

I mention the ethical debate only to underscore how far the Nazis were from having one. In one Nazi experiment, a prisoner was injected in his thigh with streptococcus-infected pus and given what was believed to be a natural remedy. He survived only after large portions of his thigh tissue necrotized. Was the experiment a success? The truth is that doctors knew beforehand that sulfa drugs were very effective antibiotics. The point of the study was to test Himmler's theory that natural therapies could yield equal or better results than those of standard treatments.[246] Himmler, of course, was not a doctor.

Here is another example. Soon after typhus arrived in Germany in 1941—introduced by Russian slave laborers and Wehrmacht soldiers returning from the Eastern Front[247]—the Nazis initiated a research program at Buchenwald to find a cure. Some prisoners were vaccinated or given drugs; some were infected to create a reservoir of fresh blood for new patients; others were exposed to lice from infected persons so doctors could investigate paths of transmission. The experimental drugs sometimes had heinous side effects. One compound, known as 3582, may or may not have reduced fevers, but it definitely killed subjects and proved no help against typhus. The researchers discontinued the trials in 1943, but they continued to test other, equally unsuitable drugs. By 1944 the director of the program, Dr. Ding, concluded that all the

drugs had been ineffective. Obvious ethical problems aside, the entire experiment made no sense. The doctors claimed the results were statistically significant but mortality rates hovered around 30 percent. What's more, doctors did not do everything they could to save lives. They weren't interested in survival, only in changes in patient condition. In a case where three patients received potassium phosphate for sepsis, doctors concluded that "no therapeutic effect … could be observed. All three cases ended fatally. Experiments will continue."[248] Another experiment had no other purpose than to see if the inhalation of coal dust had side effects on subjects with tuberculosis. The doctor in charge let two of the prisoners write a dissertation based on the research. The dissertation committee gave it high marks: according to the evaluation report, the results were debatable but the review of the literature was excellent and so was the style.[249]

The experiments amounted to nothing more than doing things to bodies and seeing what happened. In one study on prisoners at Dachau, doctors sought to determine the likelihood that pilots who ejected from their planes at high altitudes would survive low air pressure. The subjects, fed well to match the physical condition of German pilots, were hung by parachute straps in a steel chamber. Using an air pump, doctors simulated extreme fluctuations in altitude, letting the subjects "fall" and "climb" until they lost consciousness or died. Afterward, doctors killed those who survived and dissected them along with the others. No doubt, these experiments expanded our knowledge of the physiological changes at high altitude, but this cannot have been their main purpose. The British also carried out studies on high-altitude conditions. Unlike the Germans, however, they used volunteers, and doctors interrupted experiments once the simulated pressure reached eleven thousand meters. Doctors also immediately attended to subjects who became unconscious. The point was to find out at what altitude permanent damage occurs. The point of the Nazi experiments was to find out what happens when people are exposed to a deadly environment.[250]

Another experiment sought to identify the signs of self-inflicted injury in Wehrmacht soldiers. Doctors injected Auschwitz prisoners with a petroleum solution that caused painful, foul-smelling skin ulcers. After a week or two, doctors cut open the ulcers, gathered the darkish fluid, and sent it to the lab. For other patients, doctors administered first-, second-, or third-degree burns, and then analyzed the fluid that oozed out. Sometimes the doctors treated the wounds only to cut out the healed tissue for examination in the lab. This was certainly *one* way to distinguish accidental injuries from self-inflicted ones.

There were many more instances like these. Some doctors with no surgical experience operated on prisoners for practice and ended up killing them. Other doctors punctured patients' livers with needles despite prior knowledge of the

fatal consequences.[251] Still others removed the tops of prisoners' skulls "to observe how the human brain functions."[252] These physicians behaved like children who take apart a toy to figure out how it works and then, once it's broken, throw it away because they have shelves full of other toys. Doctors collected skulls and eyeballs or used human skin for lampshades and book covers or created albums with samples of tattooed skin. One dissertation, titled "On the Tattoo Question," received top marks.[253] This is the curiosity of a child who tears out the wings of a fly and looks on in fascination for a brief moment before losing interest.

Why does this fundamental regression occur? People learn as they mature that no one is omnipotent. First they realize they aren't; then they realize their parents aren't. *People who forget these lessons by participating in a violent regime that breaks with the rules of modernity may feel something tender coupled with a shiver of the uncanny: "So, after all, it is true" that parents are omnipotent.* In the 1960s one of my classmates told me how he observed his grandmother remove a picture of Hitler from her night table, gently caress it, and say, "He has such kind eyes." We also know the images of "Papa Stalin" and the girl on his arm or those of Hitler patting a boy on the cheek as he would a son. Alexander and Margarete Mitscherlich asked why the Germans did not mourn the loss of their beloved idol. Their answer was that the love was narcissistic. Instead of sadness, Germans experienced melancholia, which served as a defense mechanism to deny the reality of the Nazi crimes. But there is another explanation too: for most Germans, defeat so thoroughly refuted the illusion of omnipotence that they could no longer maintain their father transference.

What happens to people who experience extreme superiority or absolute power over others, as many Germans did during the Nazi era? *They learn that there is omnipotence after all.* This feeling of omnipotence goes hand in hand with a tremendous boost in confidence. Trust in oneself and the world grows stronger in the medium of absolute power. Those who rediscover omnipotence will say *I know you always saw me as weak. Look at my strength and power now.* They become like the little boy in *I Will Bear Witness* who calls out, "Kill him!— Old Jew, old Jew!" *Those who participate in unchecked violence gain self-trust because the violence in which they trust is always at their disposal.* To the extent that society allows, the rediscovery of omnipotence returns individuals to the developmental stage they were in when they originally believed in it.[254] They start to do things that, measured against the given expectations of instrumental rationality, make no sense. *The problem is that no activity or act of violence follows instrumental rationality alone, and the regressive let's-see-what-happens-if-I-do-this mentality also falls in with the logic of terror. Madness and transgression hence become indistinguishable.*

Some historians and sociologists believe that our trust in modernity can be maintained only by forcing this indistinguishability into the framework of instrumental rationality. Whether this is possible without denying reality remains an open question. Before we can even consider it, we must ask why people lose the trust they place in violence. The answer might be as simple as this: pleasure in the (imagined) reality of apocalypse eventually gives way to fear of it. Violence paved the road to modernity in the Soviet Union, yet to stay on that road, the Soviet Union had to curb some of the violence that got them there. Germany's confidence in the power of violence enabled it to subjugate large parts of Europe and commit mass murder, yet this confidence lasted "only" twelve years. These cases suggest that historical events—the Gulag, Auschwitz, Hiroshima—were what refuted trust in violence.[255] But if this is true, then those historical events ought to have destroyed our trust in modernity as well. Instead, we trudge on, as if the catastrophes of the twentieth century were mere bumps in the road of History. This might be because we have failed to understand another, crucial aspect of violence: communication. Incomprehension of a certain sort may be a blessing. But incomprehension did nothing to prevent twentieth-century catastrophes and, obviously, it contributed nothing to their understanding. What it did was prompt the question asked by Mother Kempowski: "How on earth?"

Violence and Communication

"Interpreter."

COLA GENTILE SPEAKS

In 1949 Cola Gentile—a Sicilian-born member of the Philadelphia mob who, fleeing a pending drug charge, had returned to Sicily and started up with the local Cosa Nostra—spent an afternoon in conversation with a young university student. His objective seems to have been to explain and justify his profession. The student, Andrea Camilleri, now a famous crime fiction writer in Italy, would later recall some of Gentile's words:

> *Duttureddu* ["Little Professor"—this was Gentile's nickname for Camilleri], if I come in here unarmed, and you pick up a pistol, point it at me and say: "Cola Gentile, down on your knees." What do I do? I kneel. That does not mean that you are a *mafioso* because you have forced Cola Gentile to get down on his knees. It means you are a cretin with a pistol in your hand.
>
> Now if I, Nicola Gentile, come in unarmed, and you are unarmed too, and I say to you: "*Duttureddu*, look, I'm in a bit of a situation. I have to ask you to get on your knees." You ask me "Why?" I say: "*Duttureddu*, let me explain" And I manage to convince you that you have to get on your knees. When you kneel down, that makes me a *mafioso*.
>
> If you refuse to get on your knees, then I have to shoot you. But that doesn't mean I have won: I have lost, *duttureddu*.[1]

Judging from this recollection, one might think that Luhmann based his theory of violence on the Sicilian mafia. Compare Gentile's comments with a section from Luhmann's *Power*:

Physical violence intentionally exercised against people has a bearing upon the action-oriented medium of power in that it eliminates action by means of action and thereby excludes communicative transmission of reduced decision-making premises. With these qualities, physical violence cannot be power, but it forms the inescapable borderline case of an avoidance alternative which forms power.[2]

The threat of violence has power only if the person Gentile threatens obviates the need to make good on the threat by acquiescing to the demand. If the person he threatens does not comply, he must carry out the threat. But if Gentile kills, he loses. Here Gentile and Luhmann seem to agree with Arendt:

[I]t is insufficient to say that power and violence are not the same. Power and violence are opposites: where the one rules absolutely, the other is absent. Violence appears where power is in jeopardy, but left to its own course it ends in power's disappearance.[3]

There is something curious about Gentile's scenario, though: by the end he forgets his premise. He starts by assuming that he enters the room unarmed. He must assume this, for otherwise the person he intends to threaten may kneel because of the pistol in his holster, not because he is a mafioso, and this would miss the point. But when Gentile considers the possible case of a person who refuses to kneel, he shoots him with a weapon he's not supposed to have. The mafia historian John Dickie dryly comments, "Gentile apparently had problems sustaining even a hypothetical mental picture of himself without a gun in his hand."[4]

In 1963, just shy of eighty and living in retirement, Gentile decided to write his memoirs. We do not know exactly what prompted it; we only know that he was the first member of the Sicilian mafia to publish an autobiography. Dickie believes that Gentile's own explanation is the most plausible one:

A lingering mystery surrounds the reasons for Gentile's decision. As always in Italy, the political context probably has something to do with it. Yet the simplest motives, the ones proffered by Gentile himself, are as likely to be the most important. He describes himself as an embittered old man. His children were all established in professional careers, but they were ashamed of the criminal origins of their well-being and shunned the man who had paid for their education, their houses.[5]

Still, one presumes that Gentile, before his retirement, would not have spoken such words, just as Adolf Eichmann, before his trial in Jerusalem, would not have spoken the words that led Arendt to connect thoughtlessness with evil.

Those who talk about the violence they commit speak the language of legitimation. The language will vary depending on whether it is uttered in zones where violence is permitted (or assumed or declared to be permitted), or whether it is uttered in zones where violence is prohibited. In either case, the language of legitimation is not all excuses and lies. People want to account for their actions, and to do this they must generally conform (or believe they must generally conform) to the language spoken by those around them. Those who use a language of violence that does not keep to the mandated/prohibited/permitted distinction precipitate a breakdown in communication. Language that lies outside this framework can convey meaning only when it is also directed at some other person who shares the speaker's assumptions and with whom the breakdown forms a communicative unity. Below I will consider the role of this other person—the so-called third party—in the phenomenon of violence.

SOCIOLOGY'S SILENCE

> I mentioned the general reluctance to deal with violence as a phenomenon in its own right.
>
> —HANNAH ARENDT, *ON VIOLENCE*

Before I turn to the matter of the third party, I want to discuss a conspicuous shortcoming in sociology's understanding of violence that has been raised repeatedly in recent years: its tendency to approach violence primarily as a moral or political phenomenon. The problem is not that sociology makes room for morality and politics but that its moral and political premises obscure the social dimension of violence. This observation is trivial, as is the fact that it's incessantly overlooked despite its triviality. All studies are finite in scope, and all carry with them certain unquestioned beliefs. When pressed, researchers must present their unquestioned beliefs as evidence, at which point opponents sneeringly call them on the fallacy of presumption. That's the way academia works—all well and good, provided the discussion does not end there.

In 1997 the leading German-language journal for sociology, the *Kölner Zeitschrift für Soziologie und Sozialpsychologie*, published a special issue on violence. Its introduction endorses the assessment by Arendt I discussed in chapter 3. "Almost thirty years after Arendt's pronouncement," writes the editor of the volume, Trutz von Trotha, "research on violence is still mostly lacking.... Violence remains the analytic stepchild of mainstream sociological theory."[6] Neither Marx, for whom violence is secondary (he called it "the midwife of

history"), nor Durkheim, who like Comte is interested in violence only as a necessary means of state control, nor Elias and Foucault, who both limit their analysis, if in different ways, to the societal shift from violence to other forms of coercion and self-coercion, can help us understand violence as social action. According to von Trotha, Simmel leaves us in the lurch as well: his concept of violence is informed by a long German tradition in which violence "is mostly synonymous with the concept of rule," and his analysis ignores "the power to kill" that destroys the social relationship itself.[7] In this way, Simmel, like the others, neglects "the core of all analysis of violence."[8] Cola Gentile's error is instructive here: he never lost sight of violence, even when he was supposed to be unarmed.

Max Weber, to his credit, includes violence in his basic idea of political organizations. For Weber, violence is not an irrational or dysfunctional part of society; it is an expression of instrumental rationality in developing and maintaining rule. The scope of Weber's analysis remains limited for all that. Von Trotha writes:

> It is true that the legitimate right to a monopoly on violence is central to Weber's sociology of domination.... Weber correctly sees in this right a prerequisite of modern statehood (as does Hobbes). Moreover, Weber undertakes extensive studies of law on the basis of this monopoly and makes important observations about the relationship of religion ... to violence. But we learn little about violence as social action.[9]

By understanding violence solely as a means of state control, Weber remained within the classical paradigm. For Weber, violence is by definition legitimate violence, which is to say, mandated violence. Everything that falls outside that sphere is deviant, a matter for specialists.

The same is true of Luhmann's work. When violence surfaces it does so exclusively in the context of law and politics, either for "the effective political control of physical violence in the entire sphere of the state" or for "the effective prevention of unlawful and politically motivated violence."[10] Von Trotha identifies similar tendencies in sociologists who take violence more seriously than Luhmann: Elias, Tilly, Giddens, even Foucault (whose interest in violence springs in no small part from his personal fascination with it). The only exceptions von Trotha can find are Canetti and Popitz. The former, in my view, is not as much of an exception as the latter. While *Crowds and Power* considers different types of violence, it lacks systematic reflection.[11] Popitz's work is more holistic in its approach, and I will return to him below.

Generally speaking, the one area of sociology in which violence figures prominently is the sociology of deviance. As the name indicates, the sociology of deviance sees violence as something that belongs on society's periphery. Sociologists who work on deviance, von Trotha observes, are not concerned with violence as

> an object of analysis … but with … the social causes of violence.… [T]he etiological theory of violence tells us much, I would venture to say "everything," about risks, social and economic disadvantages, unemployment, parental shortcomings, problems at school, dissatisfaction with social status, mental and social pathology—in short, everything that seems "wrong."[12]

By contrast, "a genuine sociology of violence must begin with violence, with the phenomenology of violence above all."[13] Birgitta Nedelmann supports von Trotha's view, and argues that any sociology of violence must be based on the fact of bodily harm.[14]

Why has sociology stubbornly refused to tackle violence head on? Pointing out idiosyncrasies, however justified they may be in individual cases, will not do. I suspect that an instinctive sense of dread about what they might uncover prevents many sociologists from looking closely at the subject. This is more than blind aversion; it's preventative hygiene. Long before they actually do the math, sociologists have an emotional hunch that the cost of surrendering modernity's illusions will be more than they can afford. The real question here is whether a true sociology of violence can be reconciled with classical sociology, and what happens if it cannot.

Let us consider two classical sociologists as examples. In "How Is Society Possible?," Simmel writes that "the fact of sociation [*Vergesellschaftung*—literally, the process of being made part of society] puts the individual into [a] dual position" in which "he exists both for society and for himself," both "from within as well as from without the individual."[15] This position is precarious for it is predicated on "an unquestionable harmony between the individual and society as a whole," on "a fundamental correlation between his life and the society that surrounds him."[16] Wherever such harmony is absent, so too is sociation.

A sociology of violence—one that starts with the experience of suffering—will have difficulty accommodating this definition. For the experience of extreme violence is characterized by the loss of all correlation between self and surroundings. This feeling of "falling out of the world" is diametrically opposed to sociation.[17] This is not to say that Simmel's position precludes him from seeing violence, just that the violence he sees always occurs outside society. In

Simmel's understanding, troops who drill, march, or assume formation occupy places of sociation. But what about the battle itself? The massacre, at the latest, cannot be subsumed under Simmel's concept of society. This need not be a serious objection; we could, with some justification, insist on using the term *society* exactly the way Simmel does. But if we were to do this, we would also have to account for, say, the urbanization of murder in Nazi concentration camps and its considerable importance for the German economy. It makes no sense to think of extreme violence as outside society, even if we feel compelled to do so from the moral standpoint that modern ideals helped shape. How can a sociology unable to conceive of terror and annihilation seriously contribute to a theory of the twentieth century?[18]

The second example is Luhmann, who poses Simmel's question in terms of a double contingency. For Luhmann, the question is not how society is possible but how "the circle of self-referential determination" can be broken.[19] Luhmann's idea of a double contingency—an ego and alter-ego that must anticipate the actions of the other without being certain of them—does not presuppose symmetry between agents. Power differentials are possible, and violence can come into play as well (if only to buttress power with threat). What Luhmann's notion does presuppose is freedom.[20] But can a person damned to the gas chamber be described as free, having the choice either to wait patiently in line or to break for it and face immediate death? Perhaps; the protagonist of Imre Kertész's *Fatelessness* insists on it at any rate. But if this is freedom, it is freedom only in the abstract sense, and it seems more designed to provoke or to make a macabre point than to accurately describe reality. Such a scenario—where it no longer matters what a person does or wants because every choice ends in death—can only be captured by Luhmann's model at the cost of plausibility. Society carries on, it continues to emerge out of double contingency, but it terminates in extreme violence.

Let us now turn to Popitz, the only sociologist who has analyzed violence systematically. Are his views compatible with a genuine sociology of violence? I did not subject Popitz's understanding of the relationship between power and violence to a thorough critique in chapter 2 and neither will I here. Popitz's arguments are worthwhile and stimulating even when one disagrees with them. The critical issue is this: Popitz appears to break out of a paradigm only to remain beholden to it. In *Phänomene der Macht* Popitz argues that violence primarily takes place in a form of power he calls *Aktionsmacht*, or power through action. In the other types of power he identifies—instrumental power, authoritative power, and data-creating power—violence falls by the wayside. Only in instrumental power, defined by Pöpitz as "the controlling of an another's behavior through threats and promises" does violence play a role.[21] But the in-

strumental threat is merely "the condition of the possibility of all stable power relations."²² *Aktionmacht* is the power to injure or kill: "Violence is an action of power intended to abuse another physically, regardless whether its meaning for the agent lies in execution alone (as naked *Aktionsmacht*) or in permanent subjugation via threat (as binding *Aktionsmacht*)."²³ In the first kind of *Aktionsmacht*, there is injurious action and nothing else; in the second, the injurious action (or its threat) is a means of coercion.

His consideration of noninstrumental violence without pathologizing or mystifying it places Popitz outside mainstream sociology. Yet he returns to it again when he writes, just four pages later, "Violence cannot be increased indefinitely. There is an outer limit: homicide."²⁴ Indeed, Popitz shares the view held by Cola Gentile and Luhmann: "In killing the one who opposes him absolutely, the power-holder relinquishes the power relation [with the opponent]."²⁵ From this perspective, violence can only be relevant to sociology as a boundary phenomenon. This explains why sociology is moderately interested in violence as a phenomenon of power and uninterested in violence as a phenomenon separate from power but very interested in durable power relations. This perspective is just a step away from Cola Gentile's conclusion that the exercise of power consists in the attempt to build consensus and that the use of violence represents its failure. Against this backdrop, we can understand why Habermas's theory of communicative action has no place for violence. While his work has many merits—particularly his efforts to rethink traditional philosophical problems in sociological, cultural, and anthropological contexts—it cannot help us here.²⁶

How to explain the short distance between Popitz's consideration of noninstrumental violence and Habermas's silence regarding the matter?²⁷ Luhmann senses the problem when he writes that "the widespread idea of an opposition or a one-dimensional polarity, existing between legitimacy and violence, or between consensus and compulsion, is misleading.... This idea seems to be concerned with a bourgeois construction which parallels the problem of reference to a time-dimension and of rendering the exercise of force."²⁸ Consider again the scenario painted by Cosa Gentile. It is certainly true that the power relation to the person whom he threatens would founder if he shot him, but how important is this power relation really? Would it not be more efficient just to eliminate the source of disturbance and put the body on display, expediting future negotiations? One might object that this kind of gesture embodies the threat presupposed in all power relations—what Popitz calls instrumental power. This would be true if Gentile deposited the body of his victim on the front steps of an uncooperative "client," but that's just one possibility. A body dumped in the market square for the general public to see could communicate

a number of things: that the mafia has power over life and death; that the mafia will exercise that power again; that the mafia does not feel threatened by the state's monopoly on violence; that the mafia is fearless; that the mafia seeks to undermine the state monopoly on violence.

Violence cannot be understood as social action unless understood in a triadic construction with communication. For it is through communication that violence constitutes itself as social action in the first place. Sociology's silence about violence as social action is a modern coping strategy, one that pathologizes and mystifies all forms of noninstrumental violence so that they need not be taken seriously as communication—except by criminologists, psychiatrists, profilers, and other specialists for deviant behavior. This theoretical blindness is, at bottom, nothing more than an expression of sociology's own aversion to violence.

THE DISAPPEARANCE OF THE THIRD PARTY

Watching the footage of the Eichmann trial, one is hard pressed to disagree with Arendt's assessment of the defendant—a thoughtless organizer of mass murder who did not know what he was doing, the "banality of evil" in person. This impression, as we now know from the Sassen tapes, was deceiving.[29] Willem Sassen was a former member of the Waffen-SS who had fled to Argentina after escaping British custody. Under the protection of the Perón government, Sassen associated openly with other ex-SS officers and wrote for the Nazi émigré community. Sometime between 1955 and 1956 he met with Eichmann to propose collaboration on a new book project: an account of the Final Solution from the Nazi point of view.[30] Eichmann, eager to publicize his role in the deportations, agreed to help. In the transcripts from the interviews—which spanned five months and comprise almost seven hundred pages—Eichmann comes off as a confident and engaged murderer, not the subordinate minion he would later portray himself as. The only regret he expressed was that he lacked the fortitude, determination, and perseverance to kill all the Jews of Europe:

> No, I have no regrets at all and I am not eating humble pie at all. In the four months during which you have rendered the whole matter, during which you have endeavoured to refresh my memory, a great deal has been refreshed. It would be too easy, and I could perfectly reasonably, for the sake of current opinion, play the role as if a Saul had turned into a Paul. But I must tell you that I cannot do that, because my innermost being refuses to say that we did something wrong. No—I must tell you, in all honesty, that if of the 10.3 million Jews shown by [the statistician] Korherr, as

we now know, we had killed 10.3 million, then I would be satisfied. I would say "All right. We have exterminated an enemy."[31]

The obvious conclusion from the Sassen tapes is that Eichmann lied in court to escape the hangman's noose. Could Arendt really have overlooked this possibility, as some have charged?[32] Perhaps; in all likelihood, though, Arendt's one-dimensional understanding of Eichmann had its source elsewhere: opposition to the emphasis placed on Eichmann's "depth" by her friend and mentor Karl Jaspers.

In a letter to Jaspers dated April 13, 1961, Arendt wrote, "Eichmann is no eagle; rather, a ghost who has a cold on top of that and minute by minute fades in substance, as it were."[33] The "eagle" refers to Jaspers's worry that Eichmann would display majesty at court, becoming a spokesperson for satanic evil. On December 12 of the previous year, Jaspers had written Arendt the following:

> Eichmann could say: Here I stand. It can happen that an eagle falls into the hands of clever trappers. You are acting neither in the name of the law nor in the name of a great political conception. In my eyes and in those of the world and of history you are vengeful (which is understandable for the kind of creatures you are) or ridiculous. Do with me what you will. I will say not another word. I do not want any defense. I know what I have done, and all I regret is that I wasn't able to kill you all.[34]

Jaspers was right—Eichmann wished he had been able to kill all the Jews—but why did he assume Eichmann would act majestically? Clichés like the fabled eagle were already tired in the nineteenth century. Had Jaspers not seen the way Nazi leaders behaved at the Nuremberg Trials? Had he forgotten? Or did such kitsch suit his constitution? In truth, Jaspers wasn't really worried that Eichmann would comport himself majestically. "[T]his creature won't speak like that because, given his nature, he can't have enough class," he continued in the next paragraph. What really preoccupied him was its possibility: "[I]f [Eichmann] were to speak like that, Israel would be in an awkward spot, all public outcry and especially all the rage of the Jews notwithstanding. World anti-Semitism would have its 'martyr.'"[35] But if Jaspers was convinced that Eichmann wouldn't act like an eagle, why did he continue to entertain the idea of someone who would? The answer was his barely concealed love for the grand, unabashed killer. This was the dirty secret of German existential philosophy. As with Benjamin and many other peaceable intellectuals, the virile immediacy of revolution and street thuggery triggered a spiritual longing that proved hard to resist.[36]

Jaspers's worry about Eichmann becoming an antisemitic martyr presupposed an antisemitic community that could have imagined a majestic Eichmann

and to whom a majestic Eichmann could have spoken like Socrates to his followers when he said, "You are my true judges." Before such a community, Eichmann's wish for greatness could have become a reality, his performance at the trial a message for posterity. The murderous deeds he confessed (braggart that he was) would have transcended the crudity of obsessive slaughter and established his legacy. ("Defeated, homewards we retreat / our grandchildren won't be so easily beat" sang the rebels in the Peasants' War.) It is to Truman's great credit that he insisted on an international tribunal despite English and Soviet misgivings, for the Nuremberg Trials greatly helped forestall such a performance on Eichmann's part by exposing Nazi mass murder as a mass criminality whose massive scale had nothing majestic about it.

What's really at issue is not that Eichmann was unable to play the role Jaspers imagined he might play, or that no other Nazi murderer could have played it, or that no one apart from the few who frequented the Nazi hangouts in South America would have listened to the message. *This issue is this: to have a communicative function, a violent act requires an agent to direct the message and a third party, real or imagined, to receive it. If the third party is missing, the agent has no choice but to use a language that denies the violent act its very meaning as violence. Violence becomes either something that emerges from the darkness of instinct, or something that has nothing to do with its agent. In making his defense in Jerusalem, Eichmann tried to explain away his violence by calling it obedience.* As I explain later, the criminal procedure deprives the defendant of a third party. Eichmann's empty ramblings in Jerusalem were the result; he had no audience to whom he could direct the message of his deeds. *Not every violent act requires a third party, but without one no violent act can assume social significance.*

The moment feminist theory saw rape as a male weapon in the battle of the sexes, it postulated all women as third party to the deed (however plausible they thought the theory was). The kidnapper who severs a limb from his victim and sends it the victim's relatives communicates with those he thinks will pay the ransom. The violent acts carried out by the mafia or by similar organizations demand public acknowledgment. The fact that the mafia has someone whacked is less important than the message: "Don't mess with us." The principle of deterrence treats punishment as a warning for anyone tempted to follow in the footsteps of the criminal. The bodies on display during certain phases of premodernity were complex messages that went beyond deterrence; they communicated a differential in power. When Cicero had Catiline's co-conspirators executed, he signaled the Republic's willingness to fight terrorism, even if it meant killing Roman citizens.

Modern political terrorism has always sought to legitimize itself by regarding its own actions as propaganda by deed. The Bolsheviks hoped their actions

would serve as a start signal for general revolution. If a small group attacked the czarist system, so their thinking went, the majority would abandon their fear and follow suit. Fyodor Dostoyevsky's *Devils* (also known as *The Possessed*; 1872) sends up a travesty of this idea: a man decides to kill himself so as to redeem humankind by demonstrating that death is nothing to fear. Even the actions of the RAF, a group self-referential to the point of autism, were designed to be communicative in function, up to and including the suicides of Andreas Baader, Gudrun Ensslin, and Jan-Carl Raspe at Stammheim prison.[37]

It should be noted that some third parties are interested in an instance of violence without being the intended recipient of its message. An important component in the dynamic of partisan movements and terrorist groups, these "interested" third parties have a stake in the victory of those who use violence and in the disruptive potential they represent.[38] In the Vietnam War, the Soviet Union was the interested third party; in the Nicaraguan insurgency, it was the United States. Once the interested third party becomes visible as an indirect participant in a conflict—by supplying money and/or weapons, by boosting one side's image—it makes the actions of those it supports into its own communicative act (one not necessarily endorsed by the agents, but which they must accept all the same).

Generally, when torture is institutionalized, it serves as a sign of threat and a badge of power. In modern state terror, torture is typically not official policy; it functions as an open secret. No one knows where people go when they disappear, but they do know it's someplace terrible. Some are kidnapped in broad daylight, some are returned to their families, some disappear without a trace.[39] The state inflicts extreme violence on a few to put fear and terror into the hearts of many. *The institution of torture shows that violence need not be seen, only known, to fulfill its communicative function.* Those who think torture only occurs between the dyad of perpetrator and victim fail to understand its function as an instrument of rule. Torture plays out between two persons but it also communicates with a third party, whose reception of the message lends the act social significance.

The communicative function of war is probably easiest for us to understand. First, because diplomatic communications often include the threat of war; second, because every combat operation sends the message, "This will continue if you do not capitulate"; and third, because every war won, especially when won boldly, says, "Don't try it again." Even the war dead have a communicative function: "Renounce support for your government," they say to the survivors. Hannibal, after his victory at Lake Trasimeno, executed the Roman prisoners but released the captives who had fought alongside the Empire. By sending the message that the war was directed against Rome alone, Hannibal wanted to

encourage Rome's allies to defect. The Nazis' treatment of Soviet prisoners of war and their indiscriminate plunder of occupied territories, even in places where German soldiers had been greeted as liberators, were also communicative acts; their purpose was to indicate the kind of war being waged. In *Henry V*, the English king's decision to execute a looter anticipates the scene in the last act where he courts the French princess without laying claim to her. *In all forms of war, the bullet is meant for two soldiers: the one it strikes and the one it does not. With the first soldier, the intention is to kill. With the second, the intention is to communicate that he's next. If the second soldier decides to remain in battle, this does not mean that he has failed to hear the message or that he flouts it. He understands it, he takes note of it; indeed, by saying "no" to it, he keeps the message in circulation.* The bullet builds the triad of gunman/victim/bystander. If there is no bystander, then the violence is an isolated act and the kill assumes no social significance. This changes the moment a third party discovers the corpse. *The communication of the violent act always includes information about the relationship between control measures, social interactions, and collective beliefs as they pertain to violence. Answering Lenin's famous question—Who whom?—it announces what is permitted, mandated, and prohibited. It delivers (at times complicated) messages about how things are and how they ought to be. It also provides images of what and who we are, or of what and who we ought to be, or want to be, or are able to be.* For instance, the dagger once worn on men's sides communicated information about the state monopoly on violence, about the individual readiness to use the dagger, about the expectation that others would know how to use theirs. The practice was part of a reciprocal form of communication that conveyed the conditions of coexistence.

The general tendency is to understand sociology's silence about violence as the meaningful kind. Few see it as odd that a young and explicitly "modern" academic discipline shares in modernity's aversion to violence.[40] *Sociology remains silent about violence by overlooking the third party*. It is more or less common opinion that terrorism has a communicative function. This view, used to rate terrorist violence as far more instrumental than it is, is based on a one-dimensional understanding of violence, and of communication.[41] Communication always conveys meaning but it does not always do so with a purpose. The communication of violence is first and foremost just talk, however serious its consequences.

Sociology introduced the concept of "expressive violence" as an attempt to understand killing sprees and "senseless" fights. Expressive violence is violence that serves no instrumental or communicative objective; it is an individual expression of an immaterial aim. At root, the concept is a variation on the coping strategy of mystification or pathologization: the idea that a person receives a

unique physiognomy by harming or killing others. Generally speaking, such violence is not communicative, however; it just happens. And when it is communicative, thinking of it as an "expression" misunderstands its social dimension. Expressive violence evokes an image of a lonely individual, one who sends out a signal to surroundings that are as opaque as he is. There are cases in which this image may be apt, but it is not pertinent for a theory of violence as social phenomenon.

More typically, sociology understands violence as a dyad rather than as an expression of individual desire. How does this fixation on the dyad reflect modernity's concept of itself? Luhmann reads modernity's aversion to violence as a means of "complicating, refining, and perpetuating conflict systems. When physical force is allowed, conflicts are either not risked at all or, when they break out, are decided relatively quickly and simply."[42] For Luhmann, the use of force in conflicts is analogous to blackmail, a dyad of the extortionist and the extorted. Whether as threat or as deed, violence presents us with the either/or of an avoidance alternative, and hence is directly tied to the exercise of power. In this view, violence is nothing but an instrument to strengthen the value of power as a medium of communication. No wonder that Luhmann endorses the old argument according to which all political power is founded on violence.[43] *Luhmann's systematic underestimation of violence's social and communicative function is also an overestimation, for in his final analysis power is always violence.* The reduction of power to violence results from an exclusively instrumental understanding of violence, according to which any other manifestation of it is deemed irrational or pathological or mysterious, a matter for those who study deviant behavior.

What violence communicates is its autotelic side, which is to say, the threat of destruction. In chapter 2, I argued that the victim experiences all violence as autotelic. And what applies to the victim applies mutatis mutandis to the third party. The problem is that, as visual traces of violence vanish from the public sphere, condemnation of the autotelic increases, making its analysis ever more difficult.

Luhmann's blackmail model fails to understand violence as a medium of communication. To say that the bullet is meant for the one it doesn't strike as well as the one it does implies a locative message: better run, or the next bullet is for you. But the locative cannot account for the effectiveness of the threat. It functions not through calculation but through horror, through the shocking awareness of the body's own destructibility. The corpse displayed on the wheel does not say, "Think again before you steal." It says, "The authorities can eviscerate you like a chicken." When the mob murders a judge in Sicily, it sends a wave of fear through the country's other judges, who will think twice before

putting a mafioso behind bars again. But through the act the mafia also de-
clares to the world: "We can do this, and we will continue to do this." Bomb
attacks on cities urge civilians to abandon their government, but they are also
designed to trigger terror and desperation. Supporters of the NATO bombing
of Belgrade justified it as communicative act, saying in effect, "Putting up with
the Milošević regime is futile." And it is as communicative act that the NATO
bombing was criticized. Behind the objections lay the hunch that the insis-
tence on "message" had introduced an autotelic form of violence.[44] This is why
NATO commanders attempted to justify the bombing militarily—a means to
render the war machinery useless—and to call everything else "collateral dam-
age." The actual violent act communicated something different: "Your govern-
ment cannot support you, and we can destroy you and yours anytime we want."
When Eisenhower neither confirmed nor denied knowledge of U2 surveillance
flights, he made clear that U.S. planes could enter Soviet air space at will.

Criminal violence communicates too, though outside mafia violence the
message is usually not intentional. Information about the crime, its reenact-
ment on TV, its discussion on talk shows, threatens the public, making them
into what Winfried Hassemer calls "virtual victims."[45] Every violent act we hear
about—whether communicated by singers of murder ballads or by the modern
media—relays complex information about people, about security, and about
insecurity. The information we receive can lead us to act irrationally, but it's
still just information, distinct from a directed message.[46] The sense of safety
accompanying a report that violent crime is on the decline has nothing in com-
mon with the message sent by the photograph of a murdered man's corpse. My
sense of, and need for, security depends not on statistics but on the awareness
of my own vulnerability and the willingness of others to do me harm. *When
violence communicates, it communicates its autotelic aspect. We are accustomed
to understanding this aspect as an expression of bizarre or antisocial behavior,
but this aspect is precisely that which converts violence into social action.*

Simmel's analysis of this triadic constellation is crucial for our understand-
ing of violence as social action.[47] His argument that a third-party observer is
sometimes needed to synthesize the elements of the sociation applies to vio-
lence in particular. According to Simmel, the sociation of individuals culmi-
nates in the idea of the vocation, where "individuality finds its place in the
structure of generality."[48] In every profession as in every violent act, something
realizes itself that is anthropologically and individually possible, something that,
under certain conditions, can be called a history of one's own making. This
realization rests on certain likes and preferences: bloodlust, a need for security,
the desire for membership in an armed organization, the wish to lead the life
of a desperado, pleasure in violent sexuality. What Simmel says about vocation

"in a higher sense"—that is, a modern vocation detached from a predefined sense of proper social space—also applies to the violent act:

> On the one hand, society within itself produces and offers to the individual a place which—however different in content and delimitation it may be from other places—can be filled by many individuals, and which is, for this reason, something anonymous, as it were. On the other hand, this place, in spite of its general character, is nevertheless taken by the individual on the basis of an inner calling, a qualification felt to be intimately personal.[49]

Once violence and social order are no longer in contradiction, once a violent relation to body has been accepted, the presupposition of social order can be destroyed. Since we cannot grasp the other in his individuality, we must assign him to a certain type—comrade or enemy, say.[50] The typology alone neither compels us to violence nor dissolves when violence enters the picture. The problem lies elsewhere. "All of us are fragments," begins a famous sentence of Simmel's, "not only of general man, but also of ourselves. " This fragmentariness "is supplemented by the other's view of us, which results in something that we never are purely and wholly."[51] The violent act—whether locative, raptive, or autotelic—fragments us.[52] The victim of violence is reduced to a body that is to be removed from the world or displaced from its location. In the view of those who inflict locative violence, whatever the victim is or remains is secondary; he or she is something to be seized, disposed of, or, in the extreme case, treated as raw meat. Awareness of their own destructibility robs victims of their sociality. *But the loss is still a form of social action, and the violent act is a form of sociality. Only in the third party do the constitution and the destruction of a social relation coalesce in the unity of the violent act.*

If this argument had been made in 1910 or thereabouts, it would have been legitimate to ask whether our inability to understand violence as social action is something that *should* be overcome. Isn't that inability an expression of modernity's aversion to violence? Wouldn't overcoming our inability to understand violence as social action be tantamount to overcoming modernity's aversion to violence? But considering the scale of twentieth-century atrocity, the idea that one can avoid extreme violence by choosing not to understand it is absurd. It is similarly absurd to imagine that a better analysis of violence would give us the instruments needed to prevent large-scale massacres from happening again. The problems do not lie in a shortage of sociological or political insights, but in the unwillingness to use violence to restrict violence. This unwillingness can have its cause in moral or political cowardice, as Rwanda's terrifying example shows. Politicians in the West knew what loomed, they knew the reason,

they knew the day the mass murders began, they knew how to prevent them, and still they did nothing.[53] This source of the unwillingness is not always obvious, and sometimes the unwillingness is deliberate. Humanitarian intervention may cause more suffering than choosing to let the murder take its course, and concerns that a humanitarian intervention could violate international law may be justified. There may, in other words, be good reason to remain neutral. In the case of Rwanda, there was not.

My discussions of the third party and its disappearance return us to a central question of this book: how could trust in modernity remain mostly intact despite the violent excesses of the twentieth century? As I argue in chapter 1, social trust is never secured once and for all; it requires practices that stabilize it, coping strategies that allow us to reconcile knowledge of extreme violence with the modern worldview. Each of these coping strategies seeks to deny the communicative function of violence. In the next sections, I will consider three of them.

COPING (1): DELEGITIMATION BY CRIMINAL PROCEDURE AND THE EXCLUSION OF THE THIRD PARTY

The Nuremberg Trials were deeply flawed in more ways than one. The chief prosecutor for the United States, Robert H. Jackson, laid out his government's objective in the opening address: to rehabilitate the relationship between German politics and German laws. The undertaking, which the United States had pushed through against the opposition of the other Allied countries, was beset by a fundamental paradox: on the one hand, the United States wanted to establish a new system of law in Germany; on the other, it wanted to use established German law to do it. There was no way to circumvent the paradox; the best the United States could do was to camouflage it by making compromises. The least of these was the decision to charge Nazi leadership with war crimes. The problem was that the Allies had committed war crimes as well, and though they paled in comparison, and though the defense that others do the same never suffices to exonerate the accused, it still left room for *tu quoque*, hence the judges' decision not to convict Dönitz for navy war crimes on the grounds that the Royal Navy was guilty of similar offenses. Another compromise came in response to the legal principle of *nullum crimen sine lege*, according to which conduct cannot be a crime unless it violates a law extant at the time of its occurrence. To prevent the defense from using this argument, the prosecution based points one and two of the indictment—conspiring to accomplish crimes against

peace and committing crimes against peace—on the 1928 Kellog-Briand Pact, which Germany had signed and which prohibited wars of aggression (though it did not explicitly subject violations to legal prosecution). The remaining charge—crimes against humanity—arose from the first two. This risky approach—it ignored the crimes the Nazis had committed before the invasion of Poland[54]—showed that the ends desired by the prosecution could not be achieved by conventional means.

Should the Allies have done without trials for reasons of legal hygiene? The criminal law scholar Reinhard Merkel has argued that the dimension of the Nazi crimes was so great that it did more harm to the law—and to the general sense of standards—than the violation of *nullum crimen sine lege* ever could.[55] This might be true, but it neglects another point. Legal principles are there to protect the defendant and to stipulate what counts as mitigating and what doesn't. "Ignorance of the law is no defense" means just that: the state is not obligated to inform its citizens of the law. Conversely, the state may not charge a person for conduct criminalized ex post facto. The statement "Had I known it was illegal, I would not have done it" will not stand up in court; the statement "Had it been illegal, I would not have done it" will. The latter assumes of course that self-exculpation is somehow *warranted*. Imagine Göring claiming that the mass murder of Jews in Europe would never have occurred had it been prohibited by law. The impossibility of such an excuse confirms—if it needs confirming—that the deed was monstrous and that Göring and the others were no ordinary criminals. The latent paradox of the Nuremberg Trials—making new laws while applying old ones—also presented a dilemma for the accused. The moment they appealed to legal principle they acknowledged the crime. Göring intuitively grasped this. Originally intending to make a political argument in his defense, he buckled under and pled not guilty.

To understand the function of the Nuremberg Trials, one must understand what they were up against. The communicative horizon of political violence is, by nature, open. Frederick II's invasion of Silesia chronicled more than territorial claims; it recorded the political style that Europe would have to face in the coming centuries. (Maria Theresa, who detested Frederick the Great all her life, understood this straightaway.) Robespierre made a point of interpreting the trial of Louis XVI as a response to politics, while the French Revolution conveyed the message to the rest of Europe.[56] And Nazi policy toward the Jews was, from the very beginning, a political declaration directed at everyone else, both inside and outside Germany.[57]

The criminal procedure is designed to eliminate the communicative horizon of political violence. Its purpose is terminating: to describe the deed, determine guilt, issue a final verdict, and execute punishment.[58] The court does not

address the world as third party; it addresses itself as its own third party. *The importance of the Nuremberg Trials lay in halting the further communication of Nazi crimes.* Göring's prophecy that fifty years after his death people would erect monuments in his honor never came true. The deplorable presentation of the defendants at Nuremberg was certainly one reason why. Just as important, though, was the fact that they, like Eichmann some fifteen years later, had no third party with which to communicate.

In *Legitimation durch Verfahren* (1969), Luhmann offers us a different language by which to describe the function of the court. Luhmann argues that the purpose of administrative procedure in general, and criminal procedure in particular, is to legitimize institutions. Quite a few legal scholars believe that court verdicts obtain legitimacy because those subject to them learn right from wrong in the course of the trial. Luhmann takes a different view: criminal procedure legitimizes itself by making defendants active parts of a process that presents their deeds in a form they do not know and in a language few of them understand. The ultimate point for Luhmann is that the court procedure undercuts the legitimacy of complaint. The convicted can sound off all they want, but society need not listen to them; the court has spoken. In this regard, it is critical that the convicted be prevented from following the model of Heinrich von Kleist's Michael Kohlhaas, who turns individual protest into universal cause. Luhmann writes:

> Of course, the person in question "accepts" it when a ruling is passed that he can neither change nor ignore. For this, no procedure is necessary. The problem lies not in bringing this about but in protecting the social system from the consequences should the person opt for an emotional response to [the ruling]. [This emotional response] must not be permitted to find social resonance; the mobilized resentment must not be permitted to become an institution. This is why the individual must be persuaded to individualize and isolate his position voluntarily.... [The goal is not] to isolate the individual when he protests.... Rather, it is to isolate him as a source of problem and to make the social order independent of his approval or disapproval.[59]

Adopting Luhmann's argument to the language of this book, we could say that the purpose of the criminal procedure is to *delegitimize the criminal* and to *neutralize* the third party with which the crime seeks to communicate.

In both Roman and Germanic law, murder and manslaughter were civil matters.[60] For the Romans, the only form of homicide liable to public prosecution was patricide.[61] This explains why participants in the Catiline conspiracy planned to cut the throats of their own fathers, in addition to murdering sena-

tors and setting fire to Rome.[62] They wanted to send a message through extreme deviation from social convention. The meaning of violence has always consisted in the communication of such difference. The aim of criminal law is to restrict the communicative function of violence. If violence is regarded as something to be settled between citizens, it becomes a communicative act directed at someone in particular. And when violence is directed at someone in particular, it is also directed at others in the form of fear and terror. When violence is primarily regarded as a violation of law, however, violence becomes a message to the general population. *Legal prosecution interrupts the communication of violence by replacing the communicative act with something else: punishment for breaking the law.*[63]

The moment Göring pled not guilty, he became active in his own delegitimation. It is always a wrong move for revolutionaries and dictators to insist on their innocence in court. For as soon as they adopt the code that governs the court, they disavow the code that governed their deeds. They replace the language of the powerful and the powerless with that of right and wrong. In court, the once powerful are powerless, but as long as what's at issue is powerlessness per se, everyone remains within the code of power. Only after the deposed dictator or foiled revolutionary adopts the code of right and wrong—only after he pleads his innocence—does he accept that power is no longer the point. The function Luhmann ascribes to the normal court procedure applies all the more when political crimes are involved—hence the use of criminal courts in Nuremberg, of truth commissions in South Africa, and of Gacaca courts in Rwanda.[64] According to Luhmann, the court is a politically neutralizing force that "prevents mechanisms such as partisanship, identification, and mutual support from turning specific conflicts into points of crystallization for general conflicts that divide … the population."[65]

Despite belief on the German Left and Right that Nuremberg was nothing more than an instance of victor's justice, the trials accomplished exactly what they were supposed to: the delegitimation of the once powerful. By moving the acts of violence perpetrated by the defendants from the sphere of the powerful and the powerless to that of right and wrong, the trials divested the acts of their communicative power. All that was left to communicate was that laws had been violated and that such violations do not go unpunished. *The atrocities of the twentieth century broke modernity's inner promise—that of progression toward ever less violence, however bumpy and crooked the path—and they broke it in a way that modernity could never have imagined. Still, modernity resisted the temptation to repeat the very withdrawal from modern ideals that made the unimaginable a reality. In short, Nuremberg prevented genocide from becoming a message.*

COPING (2): THE AUTHORITY OF THE VICTIM AND THE REPLACEMENT OF THE THIRD PARTY

An indirect consequence of the Nuremberg Trials was a new public perception of the victim.[66] The images of the dead—such as those found in footage recorded by the British on their arrival in Bergen-Belsen—were not just terrible to behold; they were mute witnesses to a crime that one had to see to understand. Some time had to pass before Holocaust survivors received proper recognition, but the transformation that finally came would affect all victims, those of nonpolitical crimes as well.

Traditionally, societies tend to regard victims as uncanny, debased, or complicit in their own abuse. Unless they are martyrs (like Saint Sebastian) or heroes (like Roland at the Battle of Roncevaux), victims are generally scorned. Being in their company is thought to bring bad luck, as if their misery, mistrust, and fear were contagious. It is easier to blame victims for their fate than to accept the possibility that anyone could share it. In one well-known psychological experiment, a group of subjects were shown photographs of people and asked to predict the likelihood that they would become victim to a certain crime. Another group was shown the same pictures but was told that the people had already fallen victim to the crime. Participants in each group then had to predict the likelihood that the people in the pictures would experience the crime in the future. The people seen by the second group were judged to be significantly more likely to fall victim to the crime than those seen by the first group. For subjects who believed they were looking at victims, repeat offences were no accident.

Despite deep-seated attitudes like these, a new understanding of the victim emerged in the second half of the twentieth century that ran counter to the traditional view. *People began to show sympathy for victims, to take interest in their fate, and to grant them interpretive authority over the world.* The transformation first appeared in accounts published by survivors of German concentration camps and, not long after, by survivors of the Gulag. These works marked the advent of a new literary genre: the survivor memoir.[67] Characteristic for survivor memoirs is that their authors do not claim to be martyrs or heroes. They describe terrible suffering and, in some instances, nothing else.

What triggered the emergence of this literary genre? Several factors were responsible. One was the makeup of the writers and their audience. Because the genocide of European Jews affected all classes, its survivors included intellectuals and others who had mastered the written word. The world to which they returned wanted to hear their stories, and readership continued to increase,

even in the countries of the perpetrators. Another reason had to do with the clear assignment of guilt and innocence at Nazi trials in Nuremberg and elsewhere. As a result, certain attitudes and behaviors—like the German nurse who, on being informed of a plan to care for Holocaust survivors, refused to attend to people she termed "mentally ill criminals"—were no longer socially acceptable.

The reception of Jean Améry's work exemplifies the transformation in mentality. Back in 1964, Améry wrote of a "well-meaning friend" who cautioned him against his plan to write about Auschwitz. "There were enough books and documents of every kind on Auschwitz already," the friend explained, "and to report on the horrors would not be to relate anything new."[68] Since then, Améry's essays on torture and imprisonment have become classics of their genre. Nowadays, a quote from Améry at the end of an essay serves as a stamp of authentication—proof positive of the victim's interpretative authority. Countless texts, films, and reports cite Améry's sentence that "Whoever has succumbed to torture can no longer feel at home in the world."[69] To ask whether this really holds true for all torture victims seems to verge on impiety. And whoever tries to weigh Primo Levi's sharp criticisms of Améry enters fraught territory.[70] In a dispute between two Holocaust survivors, who is right? May someone who is *not* a Holocaust survivor dare to answer the question? May someone who is *not* a Holocaust survivor even pose it?

The odd thing about the eminent status afforded to victims is that their interpretative authority is not limited to the realm of personal experience; it extends over life itself. Belief that accounts of an extreme and narrow slice of the human spectrum can speak for the human condition in general has occasionally given rise to the absurd. In 1995 a man named Binjamin Wilkomirski published *Fragments: Memories of a Wartime Childhood*, a book about his experiences as a young child in a German concentration camp. According to Wilkomirski, the events were so traumatic that their memory had become buried in his unconscious. Placed in an orphanage in Krakow after liberation and later adopted by a Swiss family, he claimed to grow up not knowing who he really was. It was only while seeing a psychotherapist as an adult that he recovered his childhood memories and decided to write *Fragments*. The book received much critical acclaim, earning literary awards in the United States and Europe, and its author assumed saintlike status. Then, in 1998, a Swiss journalist raised doubts about the work's authenticity. By the following year, a historian had submitted conclusive evidence to the book's publishers that Wilkomirski was a fraud. His real name was Bruno Dössekker, and he had never been interred in a concentration camp.[71] People were outraged, book sales plummeted, and its value as fiction was dismissed out of hand. The inter-

esting thing about the Wilkomirski case is that it represents the reversal of a classic psychological desire: the wish to be born of higher parentage.[72] Jean Paul's *Der Komet* (1820–22) begins with a son's search to find his real father, whom he believes (and hopes) is a wealthy margrave.[73] The man who wrote *Fragments* spins a completely different kind of fantasy: one of unknown lineage, missing parents, and a traumatic childhood.

Today the interpretative authority of the Holocaust victim now extends to all victims of violent crimes. As a victim of violent crime myself—I was kidnapped and held captive for several weeks in 1996—I have experienced this attribution of authority firsthand. Complete strangers have told me that they identify with my fate or that they worried about me while I was being held (which is complete nonsense because the kidnapping was not made public until after my release). Others have read the book I wrote about my ordeal as an answer to their own life problems.[74] Such matters aside, the attention all victims of violent crime now receive has brought positive change to criminal law, strengthening the legal status of victims on the witness stand and as joint plaintiffs. It also, of course, has exposed victims to media exploitation, but exploring the abusive potential that accompanies the new public perception would carry us too far afield.[75]

One issue I address in this chapter is how modernity manages to preserve its model of trust in the face of its contradiction. The status of the victim is part of this story. The atrocities of the first half of the twentieth century so thoroughly refuted modernity's hope of delivering ever diminishing levels of violence that classical coping strategies no longer work without supplementation.[76] But though we continue to deny autotelic violence, we acknowledge it through the eyes of the victim. Violence may not speak, but we listen to those it affects. *In a bloody world, the survivor memoir treats that which the social sciences see as marginal: the violence of the human condition.* The victim is the one who experiences violence, and the victim is the one who interprets and locates violence in the world. The victim takes the place of the third party as witness to violence and acknowledger of its social significance, rendering the communicative function of violence absent and present at once.

COPING (3): INSTRUMENTAL INTERPRETATION AND THE DENIAL OF COMMUNICATION

Going hand in hand with the denial of autotelic violence is the denial of its communication. I already discussed how the news of unprecedented destruction fascinated Truman and Churchill.[77] Soon thereafter, Hiroshima and Nagasaki

sent a message to the Soviet Union; a few years later and Stalin could return the message. The Cold War was bloody at its peripheries, but the apocalypse never came, and the reason can be attributed to a breakdown in communication. Conventional warfare transmits messages through the threat of escalation. "If you do x, or if you don't do y, then I'll do z." It assumes that everything is possible until one side—the side that turns out to be inferior—surrenders. The atomic bomb destroyed this communicative logic, at least in the bipolar structure of the Cold War.[78] Nuclear weapons made it possible for a conflict to begin worse than any prior conflict had ended. A first strike could annihilate the opponent's population and make its environment completely uninhabitable. Each opponent was at risk, and each lived in fear of apocalyptic prevention. This dynamic eliminated the communicative element from war and military threat, or at least reduced it to the coarsest of gestures. The generals in charge of maneuvers moved the troops about in virtual sand boxes, and let their young men run wild through the fields and forests, until someone called in for nuclear support—and with that, the exercise was over, the ability to simulate apocalypse being severely limited. Of course, there were plans for that eventuality, but in terms of communication, nuclear threat meant just one thing: the breakdown of communication.

The logic of noncommunication in the Cold War was not to threaten the opponent with a nuclear strike but to convey one's willingness to push the button *if . . .* This logic was momentarily suspended when the Soviets attempted to station nuclear missiles on Cuba, and it was reestablished during the crisis that followed.[79] Though Israel is generally assumed to possess nuclear weapons, it avoids using this fact for the purposes of communication. Other countries communicate the possibility of partial apocalypse. The People's Republic of China was the first country to employ this variation, which it mainly directed inward: we too have nukes, and if we're attacked it's not the end of the world. Next came India and Pakistan. Other countries may soon follow suit.

During the Cold War the possession of nuclear weapons served to demonstrate that that they would never be used. While there were always military strategists who viewed a small-scale nuclear war as winnable, this belief never determined military planning. In the current age of partial apocalypses, nuclear weapons have regained the communicative value they initially, if briefly, possessed. Now, the possession of nuclear arms means that a country is willing to use them, that its leaders are ready to kill on a massive scale. To reestablish a Cold War level of deterrence, all nuclear powers would have to sign a treaty stipulating that if any signatory launches a nuclear strike, then all the others will attack it. Such a treaty would be monstrous, of course. A nuclear retaliation may be a justified means for a country to protect itself from complete annihilation;

the complete annihilation of a population by countries not involved in a *current* conflict for the purpose of deterring a *future* conflict is ethically inadmissible. But a future that knows the threat of partial apocalypse may very well produce such monstrosities, and change our notion of admissibility in the process.

To ensure that the communication of nuclear armament during the Cold War remained immobilized, the communicative function of the atomic bombing of Japan had to be denied. *The communicative function of violence rejects modernity along with the belief that trust and violence are diametrically opposed. This is why modernity seeks to undermine this communicative function whenever it appears.* This has been true for Hiroshima and Nagasaki as well as for Gulag socialism, Nazi crimes, and terrorist violence. Though countries outside the Soviet Union criticized the violence of its system, they saw the violence as instrumental and hence partly justified as a means of restructuring society. But decades of violent excess proved that violence in the Soviet Union was less a means of restructuring its society than of grounding its very social order. *Bolshevist violence quickly became a communicative system that made clear how society functioned and what was to be done to master difficulties, to plan one's own career, and to prevent the careers of others.* The inability to understand the truth of Bolshevist violence lay in what it signaled: that which was once thought impossible—trust in violence—was not only possible; a society that used it could modernize its economy and win wars, to boot.

Modernity's inability to understand violence as a form of life has shaped the historiography of National Socialism. Dan Diner describes the Nazi policy of extermination as a kind of "counterrationality," in that its victims could not anticipate the logic of the perpetrators.[80] Hannah Arendt, referring to actions that could not be comprehended by those on the outside, spoke of "complete senselessness."[81] Other historians have seen these views as tantamount to mystification, and have insisted that genocide, like any other historical event, is instrumental in function. Rejecting the possibility of destruction for destruction's sake, they point out economic or demographic considerations that could have motivated the Nazis to commit mass murder.[82] Arguments like these assume that people always act from practical motives that are in themselves legitimate; the problem lies in the means used to achieve them. This assumption overlooks the basic truth I described earlier: *means and ends do not exist independently of each other. Whether something can be seen as a means to an end depends on a number of prior assumptions.* When a person buys sneakers and says he bought them so he can jump to the moon, this cannot be his aim, even if he truly believes the sneakers will help him achieve it. If a person hits another on the head with a hammer and then explains that he wanted to kill a fly but unfortunately had nothing else handy, we wouldn't conclude that he had

pursued reasonable ends with unusual means; we would think he was insane. By the same token, think of a landlord who murders a tenant as a way to raise rent on an apartment. Who would be willing to accept such a rationale? Anyone who insists that the extermination of Jews in Europe was a means to an economic or demographic end adopts the logic of the Nazi political and moral order. Means and ends reverse themselves, and the purported aim becomes nothing more than added impetus for the executioners.

In his two-volume *Nazi Germany and the Jews*, Saul Friedländer shows convincingly and in great detail the extent to which radical antisemitism was behind the Nazi acts of agitation, discrimination, persecution, and murder. The notion of "extermination for extermination's sake" may seem like mystification to some, but how else can the Nazis' actions be described? Even if the most radical antisemite never expected the deportation of Jews to end in mass murder, the rhetoric he spoke was always about just that.[83] *Whatever instrumental effects their actions had, the Nazis didn't deport the Jews as a means to an end. The attempt after 1945 to understand the Nazi policy of Jewish annihilation in instrumental terms was a coping strategy, modernity's way of regaining trust in itself. In those places where this interpretation prevailed, it occluded the communicative function of antisemitic violence and its role in shaping the Nazi* Volksgemeinschaft. Michael Wildt explains the communicative aspect of violence as follows:

Antisemitism constituted the Nazi *Volksgemeinschaft* and fueled its radicality and potential for destruction. By 1938, after achieving full employment and obtaining … [Austria, Sudetenland, Moravia, and Bohemia], the German people could have been satisfied with themselves. Instead, their antisemitic, racist passion drove them to continue to expand their borders, to stipulate differences of exclusion, to fashion the *Volksgemeinschaft* anew, and to bring about a racial ordering of Europe. They drew boundaries not only theoretically but also practically, which is to say through violence.… [I]t was not about proving their superiority to political enemies. It was not about merely standing someone down. The perpetrators wanted to maim and destroy. It was about extermination, a violence that did not reckon with resistance, a violence that wanted to inflict nothing but violence.[84]

Destructive violence like this answers the question "Who whom?" It says who can feel secure and who can't, and who belongs and who doesn't. Such violence sends an unmistakable message: it is serious. Describing the public spectacles made of those charged with *Rassenschande*, Wildt writes, "Masses accompany the processions. Women, children, youth walk along, laugh, taunt, insult, and spit at the victims." The return to the premodern practice of public humiliation and

pillory was the first step in a gradual development "of another legal order, a counterproject to civil law."[85] The Nazi counterproject sought to establish an alternative model of trust as well as an alternative system of law. *The instrumental interpretation of autotelic violence and the denial of its communicative function obscured just how far the counterproject had come.*

Modernity has no understanding of violence as a form of life. Again and again, modern thinkers have tried to understand terrorist violence as the little brother of revolutionary violence. This interpretation correlates with the views of most terrorist groups, who direct their violence against "representatives of the system." The problem, however, is that this interpretation ignores the unpleasant truth I addressed in chapter 4: one reason people decide to do something is because of the pleasure they derive from it.[86] Those who do not love violence or do not fetishize weapons do not become terrorists; they are unable to adapt.[87]

Going hand in hand with pleasure in violence is delusional self-regard. Hans Magnus Enzensberger and many others have pointed to the RAF as one example.[88] In Dostoyevsky's *Devils*, we find another. Terrorists in a "group of five" believe they are part of a worldwide revolutionary network. Even after the leader finally concedes their isolation, he insists that "the group has to remain a group."[89] A similar kind of fantasy was at work when the anarchists Mikhail Bakunin and Sergey Nechayev exchanged membership cards issued by nonexisting groups.[90] Idolization of group membership is part of the Left's legacy. In Germany, books on group solidarity by Horst Eberhard Richters, a later supporter of the condemned terrorist Birgit Hogefeld, achieved cult status.[91] Ulrike Meinhof regarded violence, group identification, and personal transformation as one and the same:

> the objective is the struggle,
> the struggle that produces struggle—
> which never succeeds against each other;
> it only succeeds together.
> and togetherness is more than negation.
> the fucking "repressive dyad"—
> togetherness eliminates competition
> and all constraints and demands connected to it.
> togetherness—i would say—
> is the core of communism…."[92]

Meinhof's strange poemlike letter was published posthumously by RAF associates who wanted to demonstrate her highly developed political understand-

ing and her unbroken will to fight. Plato, who wrote a book about a totalitarian utopia, would have agreed with Meinhof's condemnation of the "repressive dyad." Wieland too: in *Aristipp und einige seiner Zeitgenossen*, he argues that the prohibition on monogamy is a necessary condition for the Platonic state, since a nuclear family would break the libidinous tie to the community.[93]

After the anarchist Nechayev was put on trial for murdering a member of his group, Dostoyevsky, who had followed the case closely, wrote these revealing lines:

> I have considered the matter, even wrote about it—and suddenly I was filled with wonder. Never would I have imaged that it could be so plainly, so one-dimensionally stupid. No, I admit that I thought up until the last moment that there was something between the lines, and suddenly—what for formalism. Like in grammar school. Nothing could have been more unexpected for me. What for slogans! What a little grammar school pupil![94]

This ssort of sudden disillusionment occurs in *Devils* as well:

> "Ladies and gentlemen, I've solved the mystery. The whole secret of their effect is their stupidity!" … If it had been just a tiny bit cleverer, everyone would've seen the poverty of this silly stupidity at once. But now everyone stands perplexed: no one believes it was so genuinely stupid. "There can't possibly be nothing to it," everyone says to himself, hoping to discover the secret, wanting to read between the lines—and they've got the result they wanted![95]

The texts of the RAF were politically controversial, although it should have been obvious that their authors were deeply averse to theory and unable to perform the most elementary analysis of society. Dostoyevsky's Verkhovensky embodies the type:

> Dispensing with all discussion—because we can't just go on talking for the next thirty years as people have done for the last thirty—I ask you which is nicer: the slow way consisting of writing social novels and predetermining the fate of mankind bureaucratically on paper for a thousand years in advance … or would you prefer a swift solution, whatever that may be … ?"[96]

Why did people take such nonsense seriously? For one, it took up a popular vocabulary spoken by the nonterrorist Left. For another, it elicited a mixture of guilty conscience and fascination. Marxists and anarchists on the Left believed

in the necessity of violence, but most, being well integrated within the society they wanted to change, did not take up arms. Instead, they told themselves they would stand side by side with their comrades when the time came, and tried to forget the unpleasantness of this idea by singing revolutionary songs such as Wolf Biermann's ode to Guevara: "Jesus Christ with a gun / Your likeness leads us into battle!" Some were already taking off their gloves, but their timing was off—the situation was not yet ripe for revolution. Many still expected it in their lifetimes, much like early Christians who thought they would witness the end of the world. The RAF terrorists, for their part, behaved like the ancient Jewish zealots, those "hasteners of the end" who sought to compel the arrival of the Messiah. The RAF criticized the Left for being cowards, and some felt they were right. Their cowardliness demonstrated their good sense, but they were ashamed nonetheless.

A certain naivete was not the only reason for the RAF's willingness to use violence.[97] It was also a chance to commit autotelic violence in the name of the slighted, and to justify it with one of modernity's greatest goals: eliminating violence once and for all. To do it, violence would be needed but one last time—and *in hoc signo vinces*. Ultimately, though, the terrorist gives way to another figure: the desperado. Born of modernity's daydreams, the desperado rejects the restrictions imposed by instrumental rationality and the state and embraces the imperative of autotelic violence. He is legislator in his own cause and in the cause of others—judge and executioner both.

The figure of the desperado has always embodied the freedom to act against social norms, a freedom that law-abiding citizens regard with a certain sort of awe.[98] The violence that the desperado-cum-terrorist commits gives him an exaggerated sense of self, unmatched by anything in modernity short of coup d'état. Those who seek to make themselves arbiters of life and death, to subdue the state, and to terrorize society, seek to escape the perceived meaninglessness and dullness of inferiority. *Terrorism can only be understood as a form of life.* The former RAF member Volker Speitel characterized it this way: "Entering the group, absorbing their norms, seeing the pistol in its holster—this is how the 'new man' develops. He is master of life and death, he is certain about good and evil, he takes what he wants and from whom he wants. He is judge, dictator, and God in one person."[99] *Once we understand terrorism as a form of life, we can also understand its communicative purpose: to invite participation. The promise of group strength and the rejection of individualism mirror the experience of power in the autotelic act of violence.* This is the only way to account for the many devoted readers of Guevara's *Bolivian Diary*, whose depressed protagonists do little more than stumble through the jungle and terrify locals.

EXCURSUS: A BRIEF THEORY OF THE DESPERADO, OR, DID WILLIAM TELL REALLY LIBERATE SWITZERLAND?

Bang bang …
—NANCY SINATRA

What's the point of asking whether William Tell liberated Switzerland? Of course he did. According to legend anyway. In Wieland's narrative verse "Urtheil des Paris" (The Judgment of Paris), Tell is the man "who gave you your freedom," and at the end of Schiller's play we read "Hail Tell! Our bowman, redeemer of our land! (3281).[100] Schiller could not have been more explicit. But there's just one problem: without this line, not a single person would conclude from the play that this was in fact Tell's role. This curious fact has not gone unnoticed. The nineteenth-century critic Ludwig Börne, who read *William Tell* looking for a revolutionary and instead found a lackey, wrote:

> Though it pains me say it, dear old Tell is a colossal Philistine. He weighs his every word and action as if life and death depended on it. His measured behavior in the face of boundless misery and vast mountains is tasteless.… Without stepping out of his situation he sees, from his attic window, beyond it. This makes him clever, and anxious.… A good man, he does not skimp on his duties, yet he only does what is required of him, nothing more and nothing less.… He is a good citizen, a good father, a good husband.… He is courageous in deed and timid in word; he has a quick hand and a sluggish mind; and his good-natured scruple leads him to hide behind a bush and commit a contemptible assassination instead of doing a good deed by showing noble defiance.… He fills the space given to him by nature, civil society, and accident and he knows how to hold his own. But he does not see the whole, and he does not worry about it.… Skillful and ready to help the besieged and himself when emergency calls, he is unable and unwilling to work for the universal.… Tell refuses to bow to the hat on the pole, yet something about this galls us. It does not spring from noble defiance through freedom.… Rather, it is the pride of the Philistine, a pride that folds under scrutiny. Tell has honor in his bones, but fear too. To unite honor and fear he passes the pole with down-turned eyes so he can say he did not see the hat, that he did not violate the law. When Gessler demands that he answer for his disobedience, Tell is meek, so meek that we are ashamed for him. He answers that he didn't salute the hat due to carelessness and that it won't happen again.… Tell the man will keep his word. The shot at the apple was always a riddle;

more, it was a mystery.... A father can undertake everything to save the life of his child, but he can't risk taking the child's life to do it. Tell shouldn't have shot the bolt, even if not doing so would have meant the end of Swiss liberation. One asks the witnesses of the deed, one listens to what they say, one observes those who stay silent. They all damned the deed. In fact, the successful deed is just as ugly as the risked one; the horror remains.[101]

The simple explanation for the discrepancy between Börne's ideal and Tell's actions is that Schiller had something else in mind for his protagonist. Börne opts for a more complicated answer: Schiller wanted a revolutionary hero but the legend did not provide him with one.

Franz Mehring, the Marxist historian, speaks even more disparagingly of the piece than does Börne. For him, Schiller is politically craven, lacking the guts to pen the liberation drama he initially planned:

Schiller—timid as he is—attempts to eliminate the political and social message contained in the Swiss revolt against the House of Habsburg. Though the Swiss, from noble to serf, constitute a single heart and soul, a common revolt against their oppressors does not occur to them. It is not until their personal interests are violated individually that they unite to overthrow the tyrant, and even then they find the decision difficult.... The governors are more or less evil stage villains; the confederates are more or less Philistines. This applies first and foremost to Governor Gessler and William Tell. The former senselessly runs riot, while the latter is unmoved by collective distress.

Mehring also criticizes Schiller for the play's lack of compositional cohesion, arguing that the Tell storyline doesn't jibe with the rest:

Over the first two acts ... we see how the terrible distress threatening each individual brings them together. In the scene on the Rütli, they coalesce into a crowd capable of delivering a fatal blow to the enemy. These people—and not the individual who spitefully dissociates himself from the others because the strong man is supposed to be strongest when he acts alone—are the true redeemers of the nation.[102]

Tell's go-it-alone approach piqued Börne for the same reason: it flouted the revolutionary spirit of solidarity and collective action. Of course, those who set their heart on revolution will see it everywhere, which is why Börne and Mehring preferred to regard Schiller's play as a failed revolutionary drama rather than as no revolutionary drama at all.

Over the objections of these critics, the myth of Tell the freedom fighter has persisted in the German literary canon. A rereading of the play reveals how far off the mark this view is. Consider the scene in which Tell, an able coxswain, decides to aid the escape of a Swiss man—wanted for killing a Habsburg governor who tried to rape his wife—by ferrying him across a lake in a violent storm. As Schiller is at pains to remind us, this is no act of resistance. When Tell's wife, Hedwig, expresses her dismay at his daring act—"The stormy lake. / It was a miracle / You did escape. Could you not spare a thought / For wife and children?"—Tell answers: "'Twas of you I thought; / And so I saved a father for his children" (1525–28). In other scenes we learn about the political situation in Switzerland and its complicated relationship with the House of Habsburg, but Tell has no opinion on these matters. Faced with the call to bow before the hat in symbolic reverence to Habsburg rule, Tell adopts a quietist stance:

> Here is the deed we need:
> To stop our tongues from wagging, and be patient.
> .   .   .   .
> Let every man live quietly at home.
> The man of peace is gladly left in peace.
>   (420–21; 427–28)

Behind Tell's attitude lies less a rudimentary political theory than naïve worldly wisdom: "Left undisturbed, snakes will not bite. / The governors will weary of the game / When they see how the cantons keep their counsel" (429–31). Werner Stauffacher, a canton representative reluctant to embrace this hands-off philosophy, tries to persuade Tell otherwise:

> STAUFFACHER: We might do much if we but stood together.
> TELL: The shipwrecked man fends easier for himself.
> STAUFFACHER: So coldly then you scout the common cause?
> TELL: 'Tis only on himself a man may count.
> STAUFFACHER: Even the weak find strength in unity.
> TELL: The strong man's strongest when he acts alone.
> STAUFFACHER: So if the country in its desperate plight
> Must take to arms, we cannot count on you.
> *Tell clasps his hand.*
> TELL: The straying lamb Tell rescues from the cliff.
> Will he desert his friends in their distress?
> But whatso'er you do, seek not my words

In counsel. I've no stomach for debate.
Yet if you need me for some special task,
Then summon Tell. You know I shall not fail you.
   (432–45)

Tell presents himself as a man of action, though Börne believed Tell's long-winded monologue before killing Gessler suggests otherwise. At any rate, Tell is unmoved by political considerations, which is why he does not take part in drafting a constitution and preparing the revolt with the other canton representatives. Tell ignores Stauffacher's famous words that will later assuage Mehring: "There is a limit to the tyrants' power!" (1274). Schiller nevertheless constructs a narrative that puts Tell on a collision course with the powers that be. Those who regard Tell as a freedom fighter see here a challenge to the House of Habsburg and a repudiation of its arrogance; Börne sees only accident and excuse. Who is right?

Hedwig, for her part, has a bad feeling about it all. "The governor is there. Don't go to Altdorf," she warns her husband (1539). But Tell reassures her: "That man, / I do believe, will let me live in peace" (1546). He describes a recent encounter he had with him in the mountains: "Just two men face to face upon the cliff" (1556). Gessler fears that Tell had come to take revenge for a wrong committed against him, but Tell just passes by, greeting him with "'Tis I, your honor" (1565). Hedwig is not so sure, for she has a better understanding of human nature than her husband: "You saw him tremble. He'll not forgive you that" (1562). To which Tell replies, "So I avoid him. He'll not look for me" (1572).

And so it might have gone were it not for the incident with the hat. One day Tell and his son, deep in conversation about the mountains and their inhabitants, walk by the pole on which Gessler has hung his hat. "Coming downstage," Schiller writes in the stage directions, "they pass the hat without noticing it."[103] This famous scene follows:

WALTER: Look, father! See that hat there on the pole.
TELL: What has the hat to do with us? Come on!
(*As Tell is about to leave, Friesshardt advances toward him with leveled pike.*)
FRIESSHARDT: Halt there! I charge you in the emperor's name!
TELL (*seizing hold of the pike*): Why do you stop me? What d'you want of me?
FRIESSHARDT: You've disobeyed the order. Follow us!
LEUTHOLD: You have not shown due reverence to the hat.
TELL: Come, friend, and let me go.
   (1815–1821)

The authorities arrest Tell, though his act is not one of aggression or revolt. Walter calls for help, and a crowd gathers in the square. No one can believe Tell would have "insulted … the governor's supreme authority" (1831). "You say that Tell did this?" asks Stauffacher. Someone responds, "It is a lie." A wealthy man offers to pay bail. Another issues a call to arms: "We're stronger than they are. Down with them!" (1841). Tell waves them off—"Go now, good friends," he says, "and I'll fend for myself" (1845)—but they will not be appeased, and a tumult ensues. During the scuffle, Gessler appears on horseback, accompanied by "a large number of armed followers; these form a circle with their pikes, enclosing the whole stage."[104] Gessler demands that Tell explain himself, and Tell responds with the words that so offended Börne:

> Good sir, forgive me. It was unwariness
> Not disrespect for you that was the cause.
> Were I to pause and think, I'd not be Tell.
> Your pardon sir. It shall not happen twice.
> (1870–73)

Scholars have pointed out that the line "Were I to pause and think, I'd not be Tell" contains a wordplay preserved from the legend: *tell* is the Swiss German word for "dolt." Now Schiller's hero may be somewhat uncommunicative and sententious, but he's not stupid. The dolt referred to here is the figure Tell presents to Gessler, the careless man who promises not to make the same mistake twice. As punishment for this neglectfulness, Gessler commands him to shoot an apple off his son's head or face execution. Tell's horrified reaction shows that he is ill prepared for this sort of undertaking. The play makes it abundantly clear that Tell has no other option, probably because Schiller, like Börne, believed the act was immoral. Tell offers his life in place of his son's, but Gessler will have none of it: "You shoot, or die—together with your boy" (1899). This is the only way Tell can save Walter's life. The other possibility—shooting Gessler and inciting a revolt—would be futile, surrounded as they are by armed guards, and in any case would lead to a bloodbath from which Tell and his son might not escape. Gessler, the stereotypical evil villain, goads Tell in sadistic fashion:

> Why do you hesitate?
> Your life is forfeit. It's in my power to end it.
> But now you see I mercifully yield
> The jurisdiction to your practiced hand.
> (1930–33)

To the disbelief of the crowd, Tell raises his crossbow. He trembles, his eyes swim in tears, he begs once more for death. Gessler remains adamant: "The bow shot I will have, and not your life" (1985). More still, he raises the stakes. All those present will lose their lives unless Tell shoots the arrow. "When rescue's called for, you make light of storms. / So, you who can save all, now save yourself" (1987). As Tell takes aim, a knight in Gessler's entourage, Ulrich von Rudenz, steps forward and takes the governor to task for his severity; a heated argument ensues. Rudenz professes his loyalty to the emperor but rejects the House of Habsburg's authority over him:

> I am not, like these—
> (pointing to the people)
> unarmed, and this my sword
> If any should come near—
>   (2027–29)

Just as Rudenz draws his sword, Tell, now positioned upstage, shoots his arrow, and the apple falls. The arrangement has been carefully planned: once again, the political narrative of Swiss independence and the personal narrative of Tell part ways. While Rudenz and Gessler argue about politics, Tell attends to his own. In the foreground, the House of Habsburg's attempt to turn Switzerland into a private base of power is pitted against the Swiss insistence on an unmediated relationship to the empire. (The Swiss revolt was not about the creation of new relations but the restitution of old ones.) In the background, Tell's arrow hits its target. Gessler cannot believe his eyes: "He shot the arrow? But 'twas raving madness" (2033). Gessler had reckoned with Tell's faintheartedness. He wanted to break him, to force him to give up hope and buckle—or to shoot at his very own son. The trap was perfect. But why did Gessler set it, and why did Tell venture to the very place it could snap shut?

Tell's trip to Altdorf is based on his presumption that "left undisturbed, snakes will not bite." Tell takes for granted that repression will follow its normal path, that Habsburg rule will not exceed a certain degree of violence. The taciturn Tell does not put this into so many words, but he alludes to it when he says, "So I avoid him. He'll not look for me." He believes that neither he nor Gessler wants conflict. This is why Tell sets off for Altdorf straightaway rather than waiting till Gessler departs. The decision is a kind of experiment, or wager, though Tell is not inclined to push his luck. He plans to extricate himself from any predicament with lines like, "Come, friend, and let me go," or, "Were I to pause and think, I'd not be Tell." Only in the very worst case will he need to fight his away out. Tell's thinking is entirely reasonable—in the normal case. But

Gessler acts against all expectations. He does so, one, because he must inter-
vene to quell a potential rebellion when Tell is unable to keep Altdorf's fire-
brands under control and, two, because he overreacts, which prompts the con-
frontation with Rudenz. Like Tell, Rudenz expects normal levels of repression.
He expects a revolt on the market square to be subdued by halberdiers; he does
not expect a father to be forced to shoot an arrow at his son. "Sir governor,"
Rudenz declares, "you will proceed no further.... / You have achieved your aim.
But too far driven / Severity must overreach its purpose" (1994). What pushes
Gessler to such extremes? The answer is the crossbow. Gessler says to Tell:

> To work! Now see what comes of bearing arms.
> 'Tis dangerous to carry murderous weapons:
> The marksman's now the mark for his own arrow.
> This privilege the peasant has assumed
> Offends the sovereign ruler of the land.
> Let none go armed but those who wield the power.
> If you will carry bow and arrow, good!
> But I provide the target for your aim.
>   (1972–79)

Gessler seeks to monopolize the instruments of violence. Standing opposed to
him is, of all people, the nonpolitical Tell. It is no accident that he reinforces his
house before leaving for Altdorf: "There now! That gate should serve another
twelvemonth. / An axe in the house will save a joiner's labor" (1513–14). The
reader who detects in this passage a homage to the handyman is on to some-
thing. Like anyone in passionate pursuit of home improvement, Tell displays a
self-contained individualism that has something regressively premodern about
it, as if the whole division of labor had never been invented. Tell is less a mem-
ber of society than someone who seeks to defend his own autonomy, even if it
means setting himself *against* society. He clings to his right to house and home
and assault weapon regardless of who stands in his way, be it the House of
Habsburg or a community aspiring to modernity. Tell is not an archer by pro-
fession, and his crossbow is not a vocational tool; his decision to carry a cross-
bow is existential. Schiller's Tell recalls Charlton Heston at an NRA convention,
tirelessly and defiantly raising a rifle for the entire duration of his speech.

   In commanding Tell to shoot the arrow at his son, however, Gessler goes far
beyond prohibiting the right to bear arms. The representative of civilized so-
ciety destructively overreaches every political and legal purpose, cutting into
nature itself. "So it is true that hills / Begin to quake?" Tell asks. "The very earth
is fickle" (2666–67). Tell justifies his strangely unheroic second shot—the one

aimed at Gessler—as an act of self-defense: "Those poor children in their in-nocence, / A faithful wife, I must protect against / Your frenzy" (2577–79). To make Tell's interpretation more plausible, Schiller includes a scene shortly before in which Gessler threatens a woman who has brought a complaint against him for wrongfully convicting her husband. Schiller has his hero covered from this angle, but there is more at stake than that. In Tell's long monologue from act IV we read:

> My life was peaceful and I did no harm.
> My arrow's target was the woodland beasts.
> No thought of murder ever came to me.
> But from this quiet state you thrust me out
> And turned the milk of charitable thought
> To seething dragon's venom in my soul.
> You have accustomed me to monstrous things
> —A man who had to aim at his child's head
> Can also pierce his enemy in the heart.
>   (2568–76)

The message of this passage may allude to the line in Macbeth about the "milk of human kindness." Tell's very soul has been transformed: he is prepared to commit murder. And there lies Gessler's crime: inciting Tell to consider bloody revenge. For that, Tell explains, he must die:

> Here is no home for anyone, and each
> Will pass the other swiftly and unknown
> And never seek to share the other's sorrow.
> . . . .
> And all who travel make their destined way
> To their own tasks—and murder is my task.
>   (2611–13; 2620–21)

These lines directly tie in to the portrait of torn modernity sketched by Schiller in *On the Aesthetic Education of Man*. They are directed toward the face of modernity represented by Gessler, but they also reveal something else, something archaic. Tell's shot at Gessler is an act of hygiene, one that, like ethnic cleansing, represents the dark side of modernization. Schiller's Tell is an archaic hero modeled after Herakles, Perseus, and Theseus, someone who eliminates the remains of precivilized savagery just as the heroes of Swiss folklore drained the swamps and drove the dragons from their recesses. His feat does

not call for knightly valor; the vermin are to be exterminated effectively, not chivalrously.

The Swiss eventually liberate themselves from Habsburg rule, but it remains unclear what, if any, role Tell's ambush on Gessler had in their success. We can conclude that it must not have been all that important for Schiller, for otherwise the expert dramatist would have been explicit. Still, in the final scene, Tell is declared Switzerland's redeemer. And at the end of the first scene of act V we hear Stauffacher say:

> But where is Tell? Must he alone be missing,
> The founder of our freedom, he that did
> The greatest deed and suffered more than any?
> Come, all of you, and let us to his house
> And there acclaim the man who saved us all.
>   (3082–86)

Did Tell liberate Switzerland after all? The revolt is prepared, delayed, and then carried out as planned. Only one problem remains unsolved, and it's classic: how to set limits to violence and bring about a peaceful revolution.

> WALTHER FÜRST: Do that which must be done, but nought beyond.
> We will drive out the governors and their henchmen
> And all their fortresses we will destroy,
> Yet, if 'tis possible, we'll shed no blood.
> . . . .
> STAUFFACHER: From Gessler only do I fear resistance.
> With menacing array of troopers round him
> Not without bloodshed will he quit the field;
> And still he'll be a threat when he is banished.
> 'Tis well-nigh dangerous to spare his life.
> . . . .
> REDING: Time will bring counsel. Be ye patient now
> And trust the moment which can shape event.
>   (1366–69; 1428–32; 1437–38)

The last line is an overt foreshadowing of Tell's deed, to which he comes by accident of fate and dramatic plot. The confederates are ready to kill, but they fear their freedom could be tainted with blood. During the victory celebration Walter Fürst says: "'Tis well for you that you have not defiled / With blood our victory" (2912). To which a chorus of children echo, "We're free! We're free!" (2913).

The assassination of Gessler is at most a political sign but it is not a necessary one. Its function is to save politics from its own possibilities, for Tell undertakes a politically unavoidable murder *on nonpolitical grounds*. From the political perspective, the killing of Gessler is a justified private act, purportedly in self-defense. From Tell's perspective, it is about redressing a wrong committed against nature. In the next scene, the Duke Johann of Swabia, the emperor's grandson and murderer, says to Tell, "Oh I did hope to find some mercy here, / For you took your revenge—" (3174).[105] Tell responds:

> I raise to heaven these my hands unstained
> And curse you and your deed. I have avenged
> The sanctity of nature, which your act
> Has ravaged.
>   (3180–83)

This is not all, though. Tell's nonpolitical act is a prepolitical act and the condition of the possibility of politics. By shedding blood, he spares the revolution bloodshed; by taking place before politics begins, the act takes place outside history proper. This earns Tell the right to be called Switzerland's liberator. And it makes Schiller's play, completed in 1804, into a kind of nonpolitical answer to the French Revolution: a deliverance from the curse of political violence.

Schiller conceived the figure of Tell as a healer of wounded nature, a prepolitical hero, and a nonpolitical private individual. To which literary family does this composite persona belong?

Cut to another story set in a different time and place. A man trudges down a muddy path in southern Texas. He wears the blue uniform of the Union army. Behind him he pulls something heavy. As the camera pans out, we see it's a coffin. He walks into a small town and enters a rundown hotel-cum-bordello. When those inside ask him about its contents, he says, "A friend." Members of a racist gang soon appear and a confrontation ensues. The man outguns them, and then throws down the gauntlet to the entire gang. At the showdown the next day, he waits next to his coffin as the adversaries slowly approach. Just before they are in shooting range, he removes a heavy machine gun from the coffin and opens fire. Few escape alive. The man's name is Django.

Played by Franco Nero in Sergio Corbucci's film of the same name, Django is no more knightly than the man who shoots Gessler from behind the bushes. Like Tell's act, Django's is mostly hygienic in function. Though eliminating the gang brings peace to the town, this was not the main objective. His true motivation is revealed only at the end. Severely wounded and braced against a

graveyard cross, Django uses his last ounce of strength to shoot the boss and his henchmen. Afterward we see the photograph of a Hispanic-looking woman hanging on the grave. She, the viewer now realizes, was Django's wife, murdered by the gang while Django was off fighting in the Civil War. Like Tell, Django had no means of protecting the one he loves from harm yet he devotes his life to avenging the wrong. That he rids the town of lowlifes while he's at it is a mere by-product.

Django is one in a long line of Spaghetti Western desperadoes who follow their own laws in their quest to avenge the injustices they've suffered: the stranger in *A Fistful of Dollars* (1964; played by Clint Eastwood), the bounty hunter in *For a Few Dollars More* (1965; played by Lee van Cleef), Silence in *The Great Silence* (1968; played by Jean-Louis Trintignant), the IRA man in *Duck, You Sucker* (1971; played by James Coburn), and the man with the harmonica in *Once Upon a Time in the West* (1968; played by Charles Bronson). These characters do not behave according to the standards of public morality, but their actions have infelicitous consequences for the bad guys all the same.

All desperadoes are armed, and some carry special weapons. The appearance of Schiller's protagonist is often preceded by the cue "Enter Tell with crossbow."[106] As Tell sets off for Altdorf, his wife asks him, "Why do you want your crossbow? Leave it here." To which he replies, "You take my crossbow—you cut off an arm" (1535–36). This is a sentiment to which all desperadoes can relate. Another trait they share is the inability to verbalize their actions. Tell, we already know, is not a man of many words. The most he can muster is a pithy saying. (None of Schiller's works has as many entries in Georg Büchmann's book of quotable quotes as *Wilhelm Tell* does.) Every deed that stands a chance of success suffers from a lack of elucidating specification. Talk is about delimitation instead of communication, exclusion instead of inclusion, aphorism instead of explanation. The heroes of the Spaghetti Western are similarly reticent, never explaining their plans or actions. The man with the harmonica communicates only through his instrument, while Silence is mute in fact, his vocal cords severed when he was still a child.

The result of these communicational limitations is that no one really knows the desperado. People can admire him, sometimes love him, but they do not understand him. Marianne Koch captures this in the wonderful look of farewell she gives Clint Eastwood in *A Fistful of Dollars*, at once full of love, admiration, and astonishment. (It's a look that makes up for the drape commercials Koch did in the seventies on German television.) Tell, too, is only admired, not understood. Even his own wife fails to understand him. Embracing her son after the apple incident, Hedwig says:

Can it be true? Alive, and quite unharmed?
(She looks at him anxiously.)
How could it be? How could he aim at you?
How could he? Oh he has no heart! That he
Could shoot an arrow at his little boy!

The Canton representatives try to explain, but she'll have none of it:

Fürst: But he was sore afraid, and racked with grief,
And forced to do it under mortal threat.
Hedwig: If he had had a father's heart he would
Have rather died a thousand deaths than do it.
Stauffacher: 'Twere better that you praise God's dispensation
Which guided the event.
Hedwig: Can I forget
How else it might have been? Dear God! Were I
To live for four score years, the boy would be
For ever bound, his father taking aim,
The arrow in its flight to pierce my heart.
Melchtal: Know you how grievously he was provoked?
Hedwig: These roughhewn, stubborn men! Whene'er their pride
Is touched, they pay no heed to anything.
When the blind frenzy of the game takes hold
They'll stake their own child's head, a mother's heart.
    (2314–32)

Hedwig utterly misjudges Tell, yet her misjudgment tells us something: not even the woman at his side knows how Tell ticks.

The properties of the desperado are central to the figure of Abraham in Sören Kierkegaard's *Fear and Trembling*. Kierkegaard wrote it to explain how Abraham's willingness to kill his own son could be justified. He starts from an idea of morality based on Hegel's concept of ethical order. Hegel proposed this notion as a way to move beyond Kant's focus on individual morality, arguing that moral matters must follow from the whole or else they devolve into randomness. For Hegel, moral questions can be discussed, and standards of obligations established, only within an institutional context. Morality is a part of rationality that can be communicated. When communication breaks down, there is no way to come to an agreement about morality, and without such agreement morality ceases to exist. But in Abraham's case, as Kierkegaard points out, the act in question is mediated by neither church nor community. Indeed,

it cannot be justified by any communal framework whatsoever. Abraham betrays his duties as father: he is, as Börne calls Tell, a filicide, for we know he would have killed Isaac had God not stopped him. Abraham can justify his behavior only by reference to his unconditional belief that God's will stands above all else. Kierkegaard, a radical Protestant, argues that Abraham's belief concerns the individual as an individual, but he also claims that such belief shows how the individual can be more than the universal. This idea, inconceivable in Hegel's philosophy, has a price, so to speak: the breakdown of communication. "So Abraham," writes Kierkegaard,

> did not speak, he did not speak to Sarah, or to Eliezer, or to Isaac; he bypassed these three ethical authorities, since for Abraham the ethical had no higher expression than family life.... Abraham remains silent—but he cannot speak.... Even though I go on talking night and day without interruption, if I cannot make myself understood when I speak, then I am not speaking.... Abraham cannot speak ... [he] is an emigrant from the sphere of the universal.[107]

The last line—an emigrant from the sphere of the universal—concisely defines the desperado. In this sense, Tell is like Abraham, but with a modern difference. The God of Abraham is integral, both one and all. Tell, though given to invoking God's name, only knows nature. The natural world is one part of a divinity split into pieces. Its other parts, in strict dialectical fashion, are the antinature embodied by Gessler, who orders the murder of Tell's son, and the weapon, which takes the place of faith. Abraham's faith consists in overcoming his subjective doubt and, with it, subjectivity itself. The God who orders the sacrifice of Isaac and the God of salvation are in faith and obedience the same. With Tell, by contrast, faith-as-weapon runs up against split divinity, and sides with nature. This nature can secure unity only by being isolated from that which divides it. The weapon draws the line behind which Tell, or the desperado of the Spaghetti Western, withdraws to experience unity in isolation from the plurality of community. From this perspective, we can better understand the ominous nature Tell invokes. In Kierkegaard the space of the individual no longer mediated by the universal is transcendentally precarious. In Schiller the individual is nature in its literal sense. In a scene at the Uri fortress outside Altdorf we read:

> TELL: It's not wholesome here. Let us go on.
> STAUFFACHER: Am I in Uri then—the home of freedom?
> MASTER-MASON: Oh sir! Had you but seen the dungeons here
> Beneath the towers! A man who's thrown down there

Will ne'er again hear cock crow in the morning.

Stauffacher: Oh God!

Master-Mason: Look at these walls, these buttresses!

You'd say they're made for all eternity.

Tell: What hands can make needs only hands to break.

(*Pointing to the mountains.*)

There is the home of freedom. God built that.

    (380–88)

The last lines can be understood politically: walls can be razed, but mountains offer enduring protection from any Habsburg army. They also express Tell's detachment from the world made by man. "Mountain-born was never scared of mountains," he later explains to Hedwig (1512).

Tell occupies a liminal space outside the social world. The civilized community does not mediate his existence; the only point of contact between Tell and society is the utility of his deed for its members. The community reclaims Tell only by misunderstanding the meaning of this utility. Because he is useful to the community without being comprehensible to it, its members impute to him a moral purpose. But Tell is no more interested in his community than are Abraham and Django in theirs. In Tell's peripheral world, the standards for which the Rütli oath was made to uphold do not apply, and it is no coincidence that he gives the famous meadow a wide berth. When Tell speaks of ravaged nature, he is speaking of himself: the individual who stands above the community, the emigrant from the sphere of the universal. Yet the nature with which he feels at one cannot serve as a model for the social world; it exists only in opposition. To invoke this nature is only to refuse communication once more. Within the community, Tell would be immoral; outside it, he is amoral. And if he happens to do something useful for the community, its members can reassuringly, if mistakenly, declare him a founding father.

What comes next for desperadoes like Tell? Is there a "next"? Kurt Tucholsky thought it was for good reason that happy endings quickly pass to the curtain fall, and this is no less true of Schiller's drama. The only possible sequel for Tell is foretold in another desperado narrative, James Fenimore Cooper's *The Leatherstocking Tales.* Like Tell, Natty Bumppo is an occupier of liminal space, a renowned hunter and marksman—and someone with difficulty adjusting to social conventions. After serving a prison sentence for shooting a doe in the off season, Natty leaves town and goes west, where he finds room for peripheral encounters among pioneers on the prairie. But this form of progression—escape to the wild—does not fit Tell's story. Switzerland is a tightly confined

space, open only toward its barren upper reaches. If more of Switzerland be-
comes Swiss society, Tell may not make it to the next act. And if he does, he is
likely to do poorly, as even he understands:

> Since nature did not mold me for a shepherd …
> I must for ever chase some fleeting target
> And I can only find the zest of life
> When I must capture it each day afresh.
> (1487–90)

Hedwig criticizes Tell for failing to consider the fears she suffers on account of
his exploits, but that's only part of his ignorance. Tell not only fails to consider
his wife's needs; he fails to consider the laws under which he'll one day be
caught for poaching. His future, were it to be extended by the play's logic, is the
clink. "Tell—in prison!" Hedwig observes, "Freedom is his breath / But death
lurks in the air of vaults and caverns" (2361–62). Tell is no more suited for jail
than is the bushman from that comedy of liminal space *The Gods Must Be Crazy*
(1980). But what other options exist for him and his ilk?

Modern terrorism is far removed from the desperado and his journey
through nature's frontier, but it does share his antimodern, anti-institutional
attitude: the desire to create "a new kind of person," as first-generation RAF
members, invoking the authority of anticolonial struggle and the theories of
Frantz Fanon, wrote in messages secretly passed at Stammheim prison. The pur-
pose of this attitude, which we find throughout Schiller's works, is to protest
the alienation that accompanies modernity. Freud thought this attitude the
quintessential stance against civilization's impositions. Above all else, though,
it is a fascination with self-empowerment through violence. This fascination
holds groups together, and makes them shine.[108] As a form of life, terrorism
offers something modernity does not. (The race-baiting mobs of the Nazi *Volks-
gemeinschaft* are the closest modernity has come.) For the desperado of fiction,
the fascination with violent self-empowerment thrives on a mixture of myste-
riousness and credibility. Though the desperado puts morality and the ethos of
the average fighter on their head, he acts with conviction, sometimes divinely
inspired, as he rids towns or entire lands of the bad guys. *Modern terrorism's
associative proximity to the mysterious desperado obscures its unmysterious
truth.* The cryptic behavior of the desperado resurfaces in the incoherent stam-
mering of RAF members and the bogus theories they offered to justify their
purported higher calling. An important weapon in the fight against terror—one
that can be found as far back as Dostoyevsky—is to destroy the aura of deeper

meaning that envelops it. There is no religious secret to modern-day Islamic terrorism that secular people cannot understand. Behind it lies nothing more than a sense of triumph at one's power—the ability, say, to blow up a disco and mangle dozens of bodies—even if this triumph is the last thing the terrorist feels.

DISPLAYING THE INSTRUMENTS OF TORTURE—AGAIN?

The threat of Islamic terrorism, particularly since the attacks on September 11, 2001, has added force to a question that has posed itself before but aroused little public interest until now: is the absolute ban on torture, one of modernity's central achievements, something we can afford to uphold? Some argue that it is not. To prove their point, they present us with a ticking time-bomb scenario. In one version, authorities discover a dirty bomb in a densely populated area. The only way to deactivate the bomb is with a secret password, and the only person who knows the password is a terrorist in police custody who refuses to cooperate. Isn't torture justified given how many lives are at stake?[109]

In Germany the debate includes the 2002 case of Wolfgang Daschner, the Frankfurt deputy police commissioner who threatened to inflict severe harm on a kidnapper after he refused to reveal his victim's whereabouts. The kidnapper eventually talked, but the victim, an eleven-year-old boy, was dead by the time police found him. This real-life incident resembles the controversial scene in *Dirty Harry* (1971) where detective Callahan, played of course by Clint Eastwood, tortures Scorpio, the movie's sadistic villain, until he confesses the location of the teenage girl he buried alive. Police rush to the scene, but the girl's air supply has run out. Worse, Scorpio is released without charge on account of the brutal treatment he received. The police chief reprimands Callahan for violating the suspect's rights. Callahan's response: What about the rights of the girl who died? Who speaks for her? The examples of Daschner and Callahan contain a certain ambivalence. The greater the concern for the victim, the greater the willingness to use violence. *This shift in perspective, in which an increase in empathy for the victim threatens to precipitate a decrease in empathy for the perpetrator, can obscure the fact that the criminal justice system sees all of us as potential victims and all of us as potential defendants.*

To emphasize again: the current debate revolves around the legalization of torture when it stands to save innocent life, not the legalization of torture in general. In Germany the central question is whether article 1, paragraph 1 of the Constitution—"Human dignity shall be inviolable. To respect and protect

it shall be the duty of all state authority"—permits or mandates torture in such cases. Some legal scholars argue that while Germany's Constitution certainly prohibits torture as a violation of human dignity, it also demands that the state protect human dignity, and insofar as torture serves this end it might be mandated despite its prohibition. In supporting this possibility, proponents point to a parallel case: shooting and killing a hostage-taker to save the life of the hostage. Here too prohibition and mandate are at odds—the ban on taking life and the obligation to save it—but in this case the Federal Constitutional Court of Germany has ruled such action constitutional, favoring the rights of the innocent victim over those of the perpetrator when they clash. So why is torturing a hostage-taker to save innocent human life any different from shooting a hostage-taker to save innocent human life? Another line of argument cites the German penal code, which permits private persons to use violence when defending themselves or others from serious harm. Private persons, in other words, may act like Daschner or Callahan under certain circumstances. The question is whether this permission extends to agents of the state. If it does not, a police officer would be legally obligated to prevent a father from physically coercing his son's kidnapper into revealing the boy's location. Can we accept such a consequence? Ought we to?

The constitutional arguments for torture exceptions have made their way into Maunz and Dürig's standard commentaries on the German Constitution. Though they do not represent "prevailing opinion," they have an accepted place within the discussion. I have alienated some colleagues and audiences by claiming that these legal arguments are cogent by themselves. Nevertheless, I also believe that the legalization of torture exceptions would have catastrophic effects on society and on the legal system, effects that the logic of legal a priori argument does not consider.[110] In this case, it is better to live with a potentially intractable legal inconsistency than to jeopardize our legal system by trying to iron it out.

As I see it, there are six central arguments against the legalization of torture exceptions. First, cases like Daschner's, as his own trial demonstrated, can be accommodated by current legal practice: torture is generally prohibited, but in the event of a violation, courts will take into account context and motive. Second, the legalization of torture exceptions would fundamentally alter the way law enforcement works. In situations where innocent lives might be saved by pressuring a suspect—in interrogations, say—police officers currently ask themselves how far they *may* go. If torture were legal in these situations, police officers would have to ask themselves how far they *must* go. Is it a case where torture is mandated, or not? It is easy to imagine police officers applying violence just to be on the safe side. Third, every profession attracts people who

like doing their job. A police force that tortured on occasion would inevitably attract people to the police academy who liked the idea and who would thus be inclined to ignore a guideline such as "when in doubt, do not torture." Fourth, those who support the legalization of torture exceptions make a point of emphasizing that it may only be applied when a suspect's guilt is certain and when the information extracted under torture really will save lives. The problem is that there is no way to know for sure that these conditions obtain. To exclude such errors, you have to forbid torture categorically, otherwise it would be possible for a court to conclude that an interrogator acted incorrectly but to the best of his knowledge. At some point, in other words, someone will be tortured who does not possess life-saving information, and this ever-present possibility would effectively abolish the modern state's prohibition on torturing its citizens. Fifth, proponents of legalization argue that even when it is absolutely certain that a suspect has information that will save lives, limitations to torture must be set. Why, though? Back when torture was still a regular part of the criminal justice system, torturers drew on their experience to decide whether to stop because they believed the suspects were innocent or to carry on because they thought they were just impenitent. In the cases debated today, the suspect is supposed to threaten thousands of people with death. If it is legal to beat him, why not break his bones? And if it is legal to break his bones, why not stub out cigarettes in his eyes? And so forth. Sixth, any limitations to torture would require legal codification. Elected representatives would need to debate specifics, publicize their positions on party platforms, and inform curious voters. Newspaper op-eds, talk-show discussions, and televised interviews with politicians would soon follow. What we'd face, in short, is a public debate about how torture should best be applied.

We should recall that every country in the twentieth century that suspended the rule of law effectively legalized torture, and everywhere torture was effectively legalized, the rule of law broke down. *The legalization of torture in exceptional cases would renegotiate that central tenet of modernity: the self-imposed restriction of state violence, whose effective and symbolic expression is the ban on torture.*[111] Those who justify the use of torture to fight terrorism as a means of self-defense forget that torture changes the nature of the self they want to defend. Terrorism not only does outrage to our physical existence; it declares war on a culture whose preservation we value. Ernst Tugendhat once wrote that "we may only interrogate the 'how' of a way of life."[112] But this assumes we desire to uphold that way of life to begin with. If we do not, we will follow the models of the first half of the twentieth century that overcame modernity's aversion to violence and cultivated a trust in violence instead.

ANGST AND SELF-ASSURANCE

> Man is a species-being … because he treats himself as the actual, living species; because he treats himself as a universal and therefore a free being.
> —KARL MARX, *ECONOMIC AND PHILOSOPHIC MANUSCRIPTS OF 1844*

As I have pointed out time and again, modernity has failed to remain true to its own principles—frequently and effortlessly overcoming the aversion to violence—yet it has continually managed to deny its betrayals, even after the atrocities of the twentieth century. Disavowal not only failed to prevent further atrocity; it resulted in rhetorical attempts to relegitimize the extreme violence of the past. To cling to such ignorance as a kind of intellectual cross-your-fingers hope is not an option. Neither is resignation, as long as we are talking about alternatives. Despite our disappointments we have no choice but, as Richard Rorty argued against the positions of certain postmodernists, "to pick ourselves up and try again."[113]

The question whether one should hold on to the ideals of modernity though modernity has dreadfully fallen short of those ideals is misguided. Those who shudder at modernity's atrocities share its ideals, and those who reject its ideals will shudder at nothing. Horkheimer's short fragment "Debased Concepts" applies here:

> A scholar of repute who sympathized with socialism heard an unbiased participant in a scientific table conversation speak of humanity. He flushed with noble wrath and took the unsuspecting man to task. Through the worst sort of capitalist practice which had been used as a cloak for centuries, the concept of humanity had become disreputable and meaningless, he said. Decent people could no longer take it seriously and had stopped using it. "A radical scholar," I thought to myself. "But in that case, what terms can still be used for what is good? Because they have been used to camouflage a bad practice, haven't they been just as thoroughly debased as 'humanity'?"
>
> Some weeks later, a book by this scholar on the reality of Christianity came out. At first, I was surprised but then I discovered that he had not meant the word but the thing.[114]

Horkheimer's scholar objects not only to the term *humanity*; he objects to the very possibility of that for which it stands. For those who reject modernity with similar vehemence, the arguments in this book will have been meaningless.

But my aim was not to convince such people otherwise. Nor was it to propose how the idea of modernity can be brought back into accord with reality. Nonetheless, I would like to offer some thoughts about the kind of attitude necessary for picking ourselves up again.

I once asked an audience what they thought such an attitude must comprise. Someone answered, "Courage and hope." I replied that I take no stock in hope. This caused some concern. Without hope, the speaker reasoned, we might as well give up now. To this I answered: We don't need hope that our actions will succeed to do what we think is good; we ought to do what is good because it is good. The audience had trouble with this response too. Kant was correct to point out that people are not satisfied with merely knowing the good; they want to hope that their good actions will make a better world. But Kant was also critical of this hope, which he might have called a "pious frailty," to borrow Lessing's phrase.[115] Brecht's Saint Joan, in the passage I quoted in chapter 3, renders this hope an imperative: "Take care that when you leave the world / you were not only good but are leaving / a good world!" For the children of modernity, stock in hope trades high, presumably because so many of their foremost hopes have been disappointed.

Consider a passage from another classic. In the masquerade scene from Goethe's *Faust Part Two*, Wisdom enters the palace accompanied by two women, the personifications of fear and hope, who walk in chains at either side. Wisdom, "a slender beauty," declares to the guests in the hall:

> Let not Fear or Hope infect you!
> See, I bring them chained and bound;
> Thus—stand back, make way all round!—
> From these scourges I protect you.
>   (5441–44)

Fear and hope—the expectation of evil or of good, respectively—go back to the Greek concept of *elpis*. In Hesiod's *Works and Days*, *elpis* has two meanings. The first is the correct anticipation of the future. This *elpis* is one of the terrible divine gifts contained in Pandora's box, and the only one not released, which is why human beings do not know what the future holds. The second meaning of *elpis*, which can also be found throughout the book of Ecclesiastes, is the paralyzing hope for something better.[116] In *Prometheus Bound* Aeschylus uses *elpis* in the sense of a blind hope that compensates for our inability to see into the future.[117] In Goethe's *Faust* the two figures of *elpis* present symptoms verging on mental illness.[118] Fear is paranoid, seeing in everyone a persecutor:

Foolish jokers thronging round me,
Grinning false seductive smiles!
All my enemies surround me
On this night of treacherous wiles.
This man was my friend: I see
Through him now and his disguise.
That man tried to murder me,
Now he flees from my sharp eyes.
    (5411–18)

Hope is headlong, blind to future risk:

We would wander our own ways
On the sunny summer days,
Freely through the meadows green,
Single or companioned, choosing
To be active or reposing.
Lacking nothing, free of care,
All we seek is granted there;
Every one a welcome guest,
We may enter where we please,
Seeking happiness with ease,
Sure of finding what is best.
    (5426–40)

This view represents the sunny utopia, the principle of hope—and the misconception of the world par excellence. Hope is not the belief that something desired will come to pass but the belief that we can bank on it despite our uncertainty. If we make our actions dependent on hope, we'll be paralyzed in the event of disappointment. The other extreme, expecting evil at every turn, leaves us no less prostrate. Either way, we fail to recognize the openness of history and the world in general. Actions motivated by hope or fear presuppose a given that is anything but. If we act under the premise that we'll have to defend ourselves from what we fear, our horizon of action will narrow. So too if we act only when convinced the end will repay our efforts. The saying "Hope dies last" implies that nothing motivates us once hope is gone, that right and wrong are ultimately dependent on emotional contingency. What would be the proper attitude to adopt beyond fear and hope? The answer, I submit, is angst.

The concept of angst—approximated in English as anxiety or anguish—calls to mind philosophical associations of all sorts and existential thought in particular. I am not using it here in a genuinely philosophical sense, however. It has nothing to do with Heidegger when he writes, "That in the face of which one has anxiety [angst] is Being-in-the-world as such."[119] And it has little to do with Kierkegaard's thoughts on freedom and hereditary sin.[120] But it does have to do with a thinker whose ideas grew out of Heidegger's and Kierkegaard's. In *Being and Nothingness*, Sartre distinguishes fear (*peur*) from anguish (*angoisse*, the French translation of angst) as follows:

> [F]ear is fear of beings in the world whereas anguish is anguish before myself. Vertigo is anguish to the extent that I am afraid not of falling over the precipice, but of throwing myself over. A situation provokes fear if there is a possibility of my life being changed from without; my being provokes anguish to the extent that I distrust myself and my own reactions in that situation.[121]

Sartre contrasts angst vis-à-vis the future with angst vis-à-vis the past. The former is born from awareness of freedom. I do not know all that is possible for me, and I do not know who I will be tomorrow or the day after. The latter arises from the feeling that I should have done something or abstained from doing something but did not.

Sartre's understanding of angst finds parallels in the problems of modernity I chart in this book. What will come of the modern aversion to violence is entirely open. All we know for certain is how easy it is to destroy. But we also have the sneaking suspicion, we ought to having the sneaking suspicion, that if it's destroyed, it'll be on account of us—those who want to preserve it—and not on account of anyone else. The coping strategies of the past, those unconscious attempts to preserve modernity by brightening its image, have failed, and the coping strategies of the present are all too transparent as a result. We know the risks and can't act as if we don't, for trust and irony do not mix.

Of course, irony is a means of creating distance from self and as such an excellent strategy for overcoming angst. But while there is much to commend overcoming angst for the individual, there is, in view of twentieth-century atrocities, little to commend it for modern society as a whole. The preservation of modernity can take place only in angst, in the fraught awareness that the violent excesses of the past can recur and that our future is uncertain. Yet a society with nothing but angst would perish in a sea of despondency, over-analysis, and nihilism. To prevent its own downfall, modernity requires something more. This something more is self-assurance.

Traditionally, self-assurance of this sort was suspected of self-righteousness, closer as it was to the boastful prayer of the Pharisee—"God, I thank thee that I am not as other men"—than to the sighful prayer of the publican: "God be merciful to me a sinner."[122] But this self-assurance was also that which during the Nazi era gave some Germans the backbone to shelter Jews and declare *I am not one of the murderers.*[123] Self-assurance in this sense is the complementary opposite of angst. Angst originates in the awareness of the contingency of our existence, while self-assurance is an attitude toward life that allows one to live and want to live this reality as a conscious choice.

Within the triad of social interactions, control measures, and collective beliefs that constitutes modern trust, there is no decisive element. Seriously damage any one, and trust as a whole breaks down. To recall the specter I raised in the introduction: what prevented twentieth-century violence from damaging our collective beliefs to the point that control and social interaction became obsolete? The answer: *insights into the dynamic of violence and the terrible truth that trust in modernity can change into trust in violence at a blink of an eye occur in societal roles separate from those that foster social trust.* Our insights urge us to irony and detachment, but neither has a place in the game of trust. It would take a nonironic reorientation of trust to nix modernity once and for all. It is possible for such a reorientation to occur just like that, just as, in 1933, it was possible for such a reorientation to occur just like that. In the best case, knowledge gives rise to a certain awareness that penetrates the perceptions of what we do or abstain from doing and in this way affects how we perform our roles. If morality, directed at humanity as a whole, articulates itself at an oblique, unmodern angle to functional differentiation, then consciousness of the fragility of that which we value about modernity articulates itself in the medium of angst. Knowledge, therefore, is not useless. With luck, it resurfaces as sensitivity.

POLONIUS, HIS WILL AND TESTAMENT

The Settembrini-like quality of the Enlightenment dissatisfied many, but there was good reason for cerebrality. However little punch thinkers pack, a society that assigns people the work of reflection continues to believe in the utility of thought. The Leo Naphta character in Thomas Mann's *Magic Mountain* may have been a radical, yet the fact that he joined in the discussions at the Berghof sanatorium proved Settembrini right. The point of theorizing about history and society is that the theorizing takes place at all, for it ushers in a form of

civility. "Whoever thinks," Adorno observed, "criticizes without anger: thinking sublimates anger. Because the thinking person does not inflict anger on himself, he has no desire to inflict it on others."[124]

There is a flip side, though. The thinker's calm is deferral by hot air. Anyone held hostage and threatened with death knows the desire to stave off murder by reasoning with his or her captor. What Adorno and Horkheimer wrote about Homer applies as much to them and other writers of modernity as to the founding figure of the European Enlightenment: "The speech which gets the better of physical strength is unable to curb itself. Its spate accompanies the stream of consciousness, thought itself, like a parody: thought's unwavering autonomy takes on a moment of manic folly when it enters reality as speech."[125]

Karl Kraus and Jean Paul produced streams of words that did not so much stop as pause to begin anew. Wieland was capable of concision, yet his pithy statements are framed by periodic sentences at once beautiful to speak and alienating in length. Lessing's Nathan uses his gift of gab to save his own life, a fact commentators long overlooked. The beautiful ring parable, less expository than long-winded, buys Nathan time and gives him an edge over the Sultan.[126] In Shakespeare's *Coriolanus*, Menenius Agrippa prevents a revolution by telling rioters a tale of body limbs in rebellion against the belly. The story is absurd, and Menenius repeatedly postpones the resolution, but the crowd listens, and in doing so proves the tale's purpose.

Again, Shakespeare has a pivotal role in this book because he lived at the threshold between two ages: the Renaissance world of power and physical force and the modern world's aversion to violence. The figures he invented failed to notice violence just as historical figures later would. The most egregious of them all is Polonius. He's royal counselor, but he hasn't got a clue. He knows neither that Claudius killed King Hamlet nor that Gertrude provided assistance. He interprets Hamlet's madness as love for his daughter, when in fact he is plotting revenge. Polonius rambles incessantly right up to his death. At the outset of the play, he gives his son, Laertes, who is about to set off for study in Paris, some banal words of wisdom: watch what you say; do nothing improper; be friendly, but do not seek the friendship of all; be cautious in making friends, but remain loyal to the friends you make; avoid disputes, but when they are unavoidable, comport yourself laudably; ask for counsel often, but offer it rarely; neither borrow money nor lend it; dress well without being foppish. These platitudes fathers have spoken from time immemorial, much to their sons' chagrin. Polonius's last piece of advice is no less trite:

This above all: to thine own self be true,
And it must follow as the night the day

Thou canst not then be false to any man.
Farewell, my blessing season this in thee.
    (1.3.78–81)

It's ridiculous, but what else is he supposed to say? Perhaps this: to be treated
seriously we must sometimes act ridiculously.

In act III, scene 4, Polonius has concealed himself behind a tapestry to lis-
ten in on Gertrude, who, at his urging, is having an earnest talk with Hamlet.
A few lines into the conversation Gertrude calls out in fear for her life, and
from his hiding place Polonius cries, "What ho! help!" Hamlet, suspecting
Claudius, exclaims, "How now? A rat! Dead for a ducat, dead," and blindly
stabs at the tapestry (III.4.22–23). On realizing it's Polonius, Hamlet tells the
dying man, "Thou wretched, rash, intruding fool, farewell! / I took thee for thy
better," and then adds, "Thou find'st to be too busy is some danger" (III.4.31–33).
But Hamlet is mistaken on the last point. For had Polonius been "busier," had
he appeared from behind the tapestry and spoken insistently with Hamlet, he
might not have escaped death, though he might have delayed it. More ram-
bling on his part would have been wiser. As Adorno and Horkheimer put it:

> [T]he astute hero is always tempted to ignore the proverbial wisdom that silence is
> golden. He is driven objectively by the fear that, if he does not constantly uphold the
> fragile advantage the word has over violence, this advantage will be withdrawn by
> violence.[127]

To these words I can add no more.

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Notes

Introduction

1. Walter Kempowski, *Hamit: Tagebuch 1990* (Munich: Knaus, 2006), 135. [Unless otherwise noted, all translations my own. –Trans.]

2. Ibid., *Tadellöser & Wolff: Ein bürgerlicher Roman*, 5th ed. (1971; reprint, Munich: btb Verlag, 1996), 479.

3. See Harald Welzer, *Täter: Wie aus ganz normalen Menschen Massenmörder werden,* with Michaela Christ (Frankfurt am Main: S. Fischer, 2005).

4. Arthur Schopenhauer, *On the Basis of Morality*, trans. E. F. J. Payne, rev. ed. (1995; reprint, Indianapolis: Hackett, 1998), 134.

5. Tzvetan Todorov, *The Conquest of America: The Question of the Other*, trans. Catherine Porter (Norman: University of Oklahoma Press, 1999), 141.

6. Ibid., 144.

7. Welzer, *Täter*, 184.

8. Christopher R. Browning, *Ordinary Men: Reserve Police Battalion 101 and the Final Solution in Poland* (1992; reprint, New York: Harper Perennial, 1993), 9.

9. See Julius Caesar, *Seven Commentaries on the Gallic War*, trans. Carolyn Hammond (Oxford: Oxford University Press, 2008), 69–76.

10. For more on the Roman general Sulla, see Werner Dahlheim, *Julius Caesar: Die Ehre des Kriegers und die Not des Staates* (Paderborn: F. Schöningh, 2005), 28ff.

11. See Jan Philipp Reemtsma, "Schuld und Verantwortung," in *Die Macht der Erinnerung: Der 8. Mai 1945 und wir*, ed. Daniel Haufler and Stefan Reinecke (Berlin: *Die Tageszeitung*, 2005), 86–96.

12. See Aleksandar Tišma's wonderful story "Stan" (The Apartment) in his collection *Škola bezbožništva* (School of Atheism) (Izdavač: Nolit, 1978).

13. See in chapter 4, "Escalating the Instruments of Violence."

14. For more on the Nuremberg Trials, see in chapter 5, "Coping (1)." For more on the exhibition, see the following volumes edited by the Hamburg Institute for Social Research: *Eine Ausstellung und ihre Folgen: Zur Rezeption der Ausstellung "Vernichtungskrieg: Verbrechen der Wehrmacht 1941 bis 1944"* (Hamburg: Hamburger Edition, 1999); *Besucher einer Ausstellung: Die Ausstellung "Vernichtungskrieg: Verbrechen der Wehrmacht 1941 bis 1944" in Interview und Gespräch* (Hamburg: Hamburger Edition, 1998); and *Krieg ist ein Gesellschaftszustand: Reden zur Eröffnung der Ausstellung "Vernichtungskrieg: Verbrechen der Wehrmacht 1941 bis 1944"* (Hamburg: Hamburger Edition, 1998).

15. In his novel *Suspicion*, Friedrich Dürrenmatt imagines such an absurd scenario. See Friedrich Dürrenmatt, *Suspicion*, in *The Inspector Barlach Mysteries: The Judge and His Hangman/Suspicion*, trans. Joel Agee (Chicago: University of Chicago Press, 2006), 99–202.

16. See Jan Philipp Reemtsma, "Wie hätte ich mich verhalten?": Gedanken über eine populäre Frage," in *Wie hätte ich mich verhalten? und andere nicht nur deutsche Fragen: Reden und Aufsätze* (Munich: Beck, 2001), 9–29.

17. Friedrich Schiller, *The Thirty Years' War*, trans. A. J. W. Morrison (New York: Harper & Brothers, 1846), 2.

18. The first one had its pauses too, at least regionally, and is traditionally divided into the Bohemian Revolt, and the Danish, Swedish, and French Interventions.

19. Theodor W. Adorno, *Minima Moralia: Reflections from Damaged Life*, trans. E. F. N. Jephcott (London: Verso, 1974), 54–55.

20. Thomas Mann, *Tagebücher, 1944–1.4.1946,* ed. Inge Jens (Frankfurt am Main: S. Fischer, 1986), 198–99.

21. Hannah Arendt, "'What Remains? The Language Remains': A Conversation with Günter Gaus," in *Essays in Understanding, 1930–1954*, ed. Jerome Kohn (New York: Harcourt, Brace & Co., 1994), 14.

22. For more, see the introduction to Jan Philipp Reemtsma, *Warum Hagen Jung-Ortlieb erschlug: Unzeitgemäßes über Krieg und Tod* (Munich: Beck, 2003), 7–14.

23. See Primo Levi, *The Drowned and the Saved*, trans. Raymond Rosenthal (New York: Summit Books, 1988), 20–21.

24. Theodor W. Adorno, *Negative Dialectics*, trans. E. B. Ashton (London: Routledge & Kegan Paul, 1973), 367.

25. See Adorno, *Minima Moralia*, 43–45.

Chapter 1: Trust and Modernity

1. Thomas Mann, *Confessions of Felix Krull, Confidence Man*, trans. Denver Lindley (New York: Knopf, 1955), 119–20.

2. Ibid., 259.

3. Niklas Luhmann, *Trust*, in *Trust and Power: Two Works by Niklas Luhmann*, trans. Howard Davis, John Raffan, and Kathryn Rooney (Chichester: Wiley, 1979), 8, n. 1.

4. Martin Hartmann, "Einführung," in *Vertrauen: Die Grundlage des sozialen Zusammenhalts*, ed. Martin Hartmann and Claus Offe (Frankfurt am Main: Campus, 2001), 7.

5. See Piotr Sztompka, *Trust: A Sociological Theory* (Cambridge: Cambridge University Press, 1999), ix; and Martin Endress, *Vertrauen* (Bielefeld: Transcript, 2001), 10.

6. Ibid., 4.

7. Anthony Giddens, *The Consequences of Modernity* (Stanford: Stanford University Press, 1990), 83. See also Claus Offe, "Wie können wir unseren Mitbürgern vertrauen?" in *Vertrauen: Die Grundlage des sozialen Zusammenhalts*, ed. Hartmann and Claus Offe (Frankfurt am Main: Campus, 2001), 245.

8. For a critique of rational choice theory, see Sztompka, *Trust*, 66.

9. See Offe, "Wie können wir unseren Mitbürgern vertrauen?"; and Sztompka, *Trust*, 45.

10. See David Hume, *An Enquiry Concerning the Principles of Morals: A Critical Edition* (Oxford: Oxford University Press, 2006), 21.

11. Heinz Bude, "Am Ende ratlos: Was hat die Soziologie zur Katastrophengeschichte des 20. Jahrhunderts zu sagen?" *Mittelweg 36* 3, no. 6 (1994): 46.

12. Giddens, *Consequences of Modernity*, 107–109.

13. Thomas Hobbes, *Leviathan*, ed. Edwin Curley (Indianapolis: Hackett, 1994), 76.

14. Giddens, *Consequences of Modernity*, 107.

15. Hobbes, *Leviathan*, 77.

16. Bernard Williams, *Truth and Truthfulness* (Princeton: Princeton University Press, 2002), 89.

17. Winfried Hassemer and Jan Philipp Reemtsma, *Verbrechensopfer: Gesetz und Gerechtigkeit* (Munich: C. H. Beck, 2002), 132ff.

18. On the fragility of trust, see Schmuel N. Eisenstadt, "Construction of Trust, Collective Identity, and the Fragility and Continuity of Democratic Regimes," in *Comparative Civilizations and Multiple Modernities: A Collection of Essays by S. N. Eisenstadt* (Leiden: Brill, 2003), 877–908. On the concept of basic trust, see Jan Philipp Reemtsma, "Versuche, die menschliche Grausamkeit psychoanalytisch zu verstehen," in *u.a. Falun: Reden und Aufsätze* (Berlin: Edition Tiamat, 1992). 254–55.

19. Niklas Luhmann, "Familiarity, Confidence, Trust: Problems and Alternatives," in *Trust: Making and Breaking Cooperative Relations*, ed. Diego Gambetta (Oxford: Basil Blackwell, 1988), 97.

20. For a portrayal of the old anxieties, see Johann Wolfgang von Goethe, *Goetz von Berlichingen with the Iron Hand*, trans. Cyrus Hamlin, in *Goethe's Collected Works* (New York: Suhrkamp Publishers, 1983–89), 7:66–68.

21. Lenz Prütting, "'Weltuntergangs-Schtimmunk': Einige Anmerkungen zur Theateraufführung KAFF 68ff." *Bargfelder Bote: Materialien zum Werk Arno Schmidts* 77–78 (1984): 14–15.

22. According to Greek legend, there was once a general who tried to comfort an officer during a solar eclipse by holding a cloak before his eyes. "The thing that blocks out the sun," the general explained, "is just like my cloak, only bigger." The Old Testament espouses a different view of the cosmos—in the book of Joshua, God stops the sun to aid the Israelites in the battle at Gibeon—but both traditions view astral destiny with suspicion.

When Schiller was writing the *Wallenstein* trilogy, he initially ignored his protagonist's real-life notoriety for star-gazing, but Goethe was able to convince him of its poetic potential. The advice was right on the mark. Schiller's *Wallenstein* contains fascinating portrayals of the rhetoric of destiny in political propaganda. Nevertheless, reading about Wallenstein's penchant for astrology doesn't help us better understand his character, for we can't help but wonder how seriously a man like Wallenstein—by no means a pious commander in the traditional mold—took his beliefs. For a nuanced

history of astrology in the late Middle Ages and the Renaissance, see Dieter Blume, *Regenten des Himmels: Astrologische Bilder im Mittelalter und Renaissance* (Berlin: Akademie Verlag, 2000).

23. The space probe that brought us the images later met the same fate: in 2003 NASA engineers programmed Galileo to crash into Jupiter's atmosphere.

24. See Ulf von Rauchhaupt, "Independence Day: Warum torpedieren die Amerikaner einen Kometen? Und ist das nicht gefährlich?" *Frankfurter Allgemeine Sonntagszeitung*, July 16, 2005.

25. For more on Aztec cosmology, see Alfredo López Austin, "Cosmovision, Religion and the Calendar of the Aztecs," in *Aztecs,* exhibition catalog, ed. Eduardo Matos Moctezuma and Felipe Solís Auguin (London: Royal Academy of Arts, 2002), 30–38. For more on Aztec practices of cannibalism, see Hugh Thomas, *The Conquest of Mexico* (London : Hutchinson, 1993), 318; and Marvin Harris, *Our Kind: Who We Are, Where We Came from, Where We Are Going* (New York: Harper/Perennial, 1990), 432–35.

26. See Adorno, *Negative Dialectics*, 361–62; and Susan Neiman, *Evil in Modern Thought* (Princeton: Princeton University Press, 2002), 238–67.

27. Johann Wolfgang von Goethe, *From My Life: Poetry and Truth*, trans. Robert R. Heitner, in *Goethe's Collected Works* (New York: Suhrkamp Publishers, 1983–1989), 4:35.

28. Gottfried Wilhelm Leibniz, *Theodicy: Essays on the Goodness of God, the Freedom of Man and the Origin of Evil*, trans. E. M. Huggard (Chicago: Open Court, 1985), 215–16.

29. Georg Büchner, *Danton's Death* in *Danton's Death, Leonce and Lena, Woyzeck*, trans. Victor Price (Oxford: Oxford University Press, 1988), 23.

30. Goethe, *From My Life: Poetry and Truth*, 4:36.

31. All line numbers refer to Johann Wolfgang von Goethe, *Faust Part One*, trans. David Luke (Oxford: Oxford University Press, 1998).

32. One might be reminded here of a remark made by Christoph Martin Wieland near the end of his life: even belief in nothing can prove wearisome in the long run.

33. See Albrecht Schöne, *Kommentare zu Johann Wolfgang von Goethe*, in Johann Wolfgang von Goethe, *Sämtliche Werke* (Frankfurt am Main: Deutscher Klassiker Verlag, 1994), 7/2:322.

34. On the problems raised by this kind of disconnect, see Joseph Ratzinger (Pope Benedict XVI), *Truth and Tolerance: Christian Belief and World Religions*, trans. Henry Taylor (San Francisco: Ignatius Press, 2004).

35. See Jan Philipp Reemtsma, "Muss man Religiosität respektieren?," in *Politische Religion: Zwischen Totalitarismus und Bürgerfreiheit*, ed. Gerhard Besier und Hermann Lübbe (Göttingen: Vandenhoeck & Ruprecht, 2005), 399.

36. Niklas Luhmann, *The Reality of the Mass Media*, trans. Kathleen Cross (Stanford: Stanford University Press, 2000), 122.

37. Quoted in ibid., 1.

38. Answers to these questions leave little room for ironic reflection. Traditionally, irony is confined to the areas of art and literature, where it has long been regarded as a

sign of intelligence. For the difference between the attitude of irony and that of engagement, see Richard Rorty, *Irony, Contingency, Solidarity* (Cambridge: Cambridge University Press, 1989).

39. For an example of the former view, see the new prologue to Bertolt Brecht's adaptation of *Antigone* ("where once humanity stood tall") (*Antigone des Sophokles*, in *Gesammelte Werke in 20 Bänden* [Frankfurt am Main: Suhrkamp Verlag, 1993], 6:2328). For an example of the latter, see Hegel's *Lectures on the Philosophy of Religion*. There he writes:

> The collision between the two highest ethical powers is portrayed in a plastic fashion in the absolute example furnished by tragedy.... For example, in Antigone the love of family, the holy, the inner, what ... belongs to sentiment, comes into collision with the right of the state. Creon is not a tyrant, but rather the champion of something that is also an ethical power. Creon is not in the wrong; he maintains that the law of the state, the authority of the government, must be preserved and punishment meted out for its violation. Each of these two sides actualizes only one of the other two, has only one side as its content (*Lectures on the Philosophy of Religion: One-Volume Edition, The Lectures of 1827*, trans. R. F. Brown, P. C. Hodgson, and J. M. Stewart with the assistance of H. S. Harris [Oxford: Clarendon Press, 2006], 353).

40. For more, see Christian Meier, *Die politische Kunst der griechischen Tragödie* (Munich: Beck, 1988), 208–25.

41. See ibid., 210.

42. Sophocles, *Antigone*, trans. Reginald Gibbons and Charles Segal (Oxford: Oxford University Press, 2003), 83.

43. Titus Livius, *The History of Rome: The First Eight Books*, trans. D. Spillan (London: Henry G. Bohn, 1853), 744–45.

44. Sophocles, *Antigone*, 85.

45. Ibid., 111.

46. Quoted in David Sedley, ed., *The Cambridge Companion to Greek and Roman Philosophy* (Cambridge: Cambridge University Press, 2003), 80.

47. See Robin Waterfield, trans., *The First Philosophers: The Presocratics and Sophists* (Oxford: Oxford University Press, 2000), 116–33.

48. I. F. Stone, *The Trial of Socrates* (London: Pimlico, 1997), 231ff.

49. Xenophon, *Memorabilia*, trans. E. C. Marchant (Cambridge: Harvard University Press, 1923), 17.

50. In the *Apology* Socrates explains:

> For this reason, gentlemen, far from pleading on my own behalf, as might be supposed, I am really pleading on yours, to save you from misusing the gift of God by condemning me. If you put me to death, you will not easily find anyone to take my place. To put it bluntly (even if it sounds rather comical) God has assigned me to

this city, as if to a large thoroughbred horse which because of its great size is inclined to be lazy and needs the stimulation of some stinging fly (Plato, *Apology,* in *The Last Days of Socrates*, trans. Hugh Tredennick and Harold Tarrant [1954; reprint, London: Penguin Books, 2003], 57 [30d–e]).

51. Ibid., 46–47 (23b–c).

52. See Christian Meier, *Athen: Ein Neubeginn der Weltgeschichte* (Berlin: Siedler Verlag, 1993), 589–683; and Jan Philipp Reemtsma, "Die Idee des Vernichtungskrieges: Clausewitz—Ludendorff—Hitler," in *Vernichtungskrieg: Verbrechen der Wehrmacht 1941–1933*, ed. Hannes Heer and Klaus Naumann (Hamburg: Hamburger Edition, 1995), 387–88.

53. Frequent comparison of Socrates' fate to that of Jesus has earned philosophy an (undeserved) reputation for being a risky profession. See Jan Philipp Reemtsma, "Sokrates, Xenophon, Wieland," in Xenophon, *Sokratische Denkwurdigkeiten*, ed. Hans Magnus Enzensberger (Frankfurt am Main: Eichborn, 1998), xxvii.

54. Pliny the Younger, *The Letters of the Younger Pliny*, trans. Betty Radice (London: Penguin, 1963), 294.

55. See Jan Assmann, *The Price of Monotheism*, trans. Robert Savage (Stanford: Stanford University Press, 2010).

56. Joseph Ratzinger (Pope Benedict XVI), *Jesus of Nazareth: From the Baptism in the Jordan to the Transfiguration*, trans. Adrian J. Walker (New York: Doubleday, 2007), 112–22.

57. See Acts 22–23.

58. Pliny the Younger, *The Letters of the Younger Pliny*, 295.

59. Royal B. Hassrick, *The Sioux: Life and Customs of a Warrior Society* (Norman: University of Oklahoma Press, 1964), 133.

60. For more on intellectual life in al-Andalus, see André Clot, *L'Espagne musulmane: VIIIe–XVe siécle* (Paris: Perrin, 1999).

61. Regrettably, Hans Otto Seitschek dwells on this connection only briefly. See his "The Interpretation of Totalitarianism as Religion," in *Totalitarianism and Political Religions*, trans. Jodi Bruhn and ed. Hans Maier (London: Routledge, 2004–2007), 3:121–63.

62. Kurt Flasch, ed., *Aufklärung im Mittelalter? Die Verurteilung von 1277: Das Dokument des Bischofs von Paris* (Mainz: Dieterich, 1989).

63. Ernest L. Fortin and Peter D. O'Neill, trans., "Condemnation of 219 Propositions," in *Medieval Political Philosophy: A Sourcebook*, ed. Ralph Lerner and Muhsin Mahdi (New York: Free Press of Glencose, 1963), 335–54.

64. Ferdinand Seibt, *Glanz und Elend des Mittelalters: Eine endliche Geschichte* (Berlin: Siedler, 1987), 392ff.

65. See ibid., 287ff.

66. Ibid., 372.

67. See Mischa Meier, *Justinian: Herrschaft, Reich und Religion* (Munich: Beck, 2004), 83. Meier specifically mentions Constantinople (in 542) and Amida (in 560).

68. Laurette Séjourné, ed., *Altamerikanische Kulturen* (Frankfurt am Main: Fischer Bücherei, 1971), 40–41.

69. The sociologist Lars Clausen has proposed a set of conditions for the onset of collective self-destruction. See his "Übergang zum Untergang," in *Krasser sozialer Wandel* (Opladen: Leske and Budrich, 1994), 13–50.

70. See Herfried Münkler, *Machtzerfall: Die letzten Tage des Dritten Reiches dargestellt am Beispiel der hessischen Kreisstadt Friedberg* (Berlin: Siedler, 1985); and Walter Kempowski, *Das Echolot: Barbarossa '41; ein kollektives Tagebuch* (Munich: Knaus, 2002).

71. It should not be forgotten that the practices of social trust in the classical era applied only to citizens, not to slaves.

72. In his *Gesellschaft der Frühen Neuzeit: Kulturelles Handeln und sozialer Prozess*, Richard van Dülmen describes these last-minute conversions in more detail:

Starting in the Counter-Reformation priests began to use the opportunity not just to comfort the condemned but to convert them to Christianity, and therefore to see them perish on the scaffold as witnesses to the true religion. Since these poor souls rarely experienced such individual attention during their lifetimes, some priests were quite successful. They could even convert Jews (though Jews knew they could count on a reduced form of punishment in return). If a delinquent did not respond to a priest's urgings, it was attributed to "obstinacy" and treated in merciless fashion. This period of preparation was so important to the magistrates that, when necessary, they would delay the execution until the condemned had found "peace of mind" ([Vienna: Böhlau, 1993], 119).

73. Quoted in Todorov, *The Conquest of America*, 161. Interestingly, Pope Paul III concluded that "the Indians … must not be deprived of their freedom and the ownership of their property" (quoted in ibid.).

74. Quoted in ibid., 154.

75. Quoted in ibid., 162.

76. Aristotle, *Politics, in The Complete Works of Aristotle*, trans. by Benjamin Jowett (Princeton: Princeton University Press, 1984), 1254b.

77. Quoted in ibid., 155.

78. Quoted in ibid.

79. It was genocide for all intents and purposes. I avoid the term here because of its legal origins. For a general overview, see William A. Schabas, *Genocide in International Law: The Crime of Crimes* (Cambridge: Cambridge University Press, 2000). For a discussion of the term, see Jacques Sémelin, *Purify and Destroy: The Political Uses of Massacre and Genocide*, trans. Cynthia Schoch (London: Hurst & Company, 2007).

80. Jan Philipp Reemtsma, "Cortez et al.," in *u.a.Falun: Reden und Aufsätze*, 167–88.

81. See Niklas Luhmann, *Die Gesellschaft der Gesellschaft* (Frankfurt am Main: Suhrkamp, 1997), 2:711.

82. See chapter 2 of Barbara Tuchman, *The March of Folly: From Troy to Vietnam* (New York: Knopf, 1984), 51–126.

83. Josef Polišenský and Josef Kollmann, *Wallenstein: Feldherr des Dreissigjährigen Krieges*, trans. Herbert Langer (Cologne: Böhlau Verlag, 1997), 27.

84. Niccolò Machiavelli, *The Prince*, trans. George Bull (New York: Penguin, 1999), 58.

85. See Niklas Luhmann, *Zweckbegriff und Systemrationalität: Über die Funktion von Zwecken in sozialen Systemen* (Tübingen: Mohr, 1968), 60.

86. Klaus Reichert, *Der fremde Shakespeare* (Munich: Hanser, 1998), 122–33.

87. As dramatized in *Richard II*. See Jan Philipp Reemtsma, "Was wird aus Hansens Garten? Gedanken über den fortschreitenden Verlust an Symbolisierungsfähigkeit," in *Das unaufhebbare Nichtbescheidwissen der Mehrheit* (Munich: Beck, 2005), 22–26.

88. All Shakespeare references are to *The Arden Shakespeare Complete Works*, ed. Richard Proudfoot, Ann Thompson, and David Scott Kastan (Walton-on-Thames: Thomas Nelson, 1998).

89. Friedrich Schiller, *The Piccolomini*, in *The Robbers* and *Wallenstein*, trans. F. J. Lamport (Harmondsworth: Penguin, 1979), 250.

90. Robert Service, *Lenin: A Biography* (Cambridge: Harvard University Press, 2000), 259.

91. Gottfried von Strassburg, *Tristan: Translated Entire for the First Time, with the Surviving Fragments of the "Tristan" of Thomas*, trans. A. T. Hatto (Harmondsworth, U.K.: Penguin, 1974), 110.

92. Walter von der Vogelweide, *Walther von der Vogelweide: The Single-Stanza Lyrics*, trans. Frederick Golden (New York: Routledge, 2003), 153.

93. Wolfram von Eschenbach, *Parzival*, trans. A. T. Hatto (Harmondsworth, U.K.: Penguin, 1980), 95–96.

94. Ibid, *Parzival*, 410–11.

95. Gotthold Ephraim Lessing, *Nathan the Wise*, trans. Bayard Quincy Morgan, in *Nathan the Wise, Minna von Barnhelm, and Other Plays and Writings*, ed. Peter Demetz (New York: Continuum, 1991), 232.

96. Gottfried von Strassburg, *Tristan*, 147.

97. Hartmann von Aue, *Arthurian Romances, Tales and Lyric Poetry: The Complete Works of Hartmann Von Aue*, trans. Frank Tobin, Kim Vivian, and Richard H. Lawson (University Park, Pa.: Pennsylvania State University Press, 2001), 284–85.

98. Gerd Althoff, "Spielen die Dichter mit den Spielregeln der Gesellschaft?" in *Inszenierte Herrschaft: Geschichtsschreibung und politisches Handeln im Mittelalter* (Darmstadt: Primus Verlag, 2003), 266ff.

99. Quoted in Knut Görich, *Die Ehre Friedrich Barbarossas: Kommunikation, Konflikt und politisches Handeln im 12. Jahrhundert* (Darmstadt: Wissenschaftliche Buchgesellschaft: 2001), 47.

100. Görich, *Die Ehre Friedrich Barbarossas*, 45.

101. Ibid., 39.

102. A contributing factor in Christianity's failure was the invention of the printing press. As Pope Benedict XVI never tires of pointing out, the supplantation of authoritative interpretation with the authority of the word opened the floodgates to modern

relativism. This explains why fundamentalist movements such as Lutheranism or Calvinism, armed with the battle cry of "sola scriptura," became the pioneers of modernization. The return to an urtext accessible to anyone who was literate increased interpretative leeway, and produced a multitude of Protestant denominations as a result. When Benedict XVI denies that Protestantism is a church, he is, theologically speaking, correct. Lessing's dismissal of the importance of the gospels for Christianity is just another consequence of this development. Once authoritative interpretation was replaced by biblical hermeneutics, biblical hermeneutics was soon replaced by textual criticism and ethical debate, which together spelled religion's end. Ultimately, the schism put Christianity's ability to represent an all-inclusive whole to a test it was unable to pass. From the standpoint of German intellectual history, the decisive step in Christianity's failure was provided by Lessing's "Eine Parabel."

103. Luhmann, *Die Gesellschaft der Gesellschaft*, 2:707.

104. Friedrich Schiller, *On the Aesthetic Education of Man*, trans. Reginald Snell (Mineola, N.Y.: Dover, 2004), 40. See also Jürgen Habermas, *The Philosophical Discourse of Modernity*, trans. Frederick G. Lawrence (Cambridge: MIT Press, 1996), 45ff. Schiller's charge is accompanied by the assertion of religion's loss of meaning, though this is not grieved equally by all. See here Hegel's captivating discussion of religion's isolation from secular consciousness in *Lectures on the Philosophy of Religion*, Volume 1: *Introduction and the Concept of Religion (Hegel Lectures)*, trans. Robert F. Brown, Peter C. Hodgson, and J. Michael Stewart, with the assistance of H. S. Harris (New York: Oxford University Press, 2007), 90ff.

105. Jan Philipp Reemtsma, "Osmantinische Aufklärung," *Bargfelder Bote* 281–82 (2005): 12.

106. Luhmann, *Die Gesellschaft der Gesellschaft*, 2:1043.

107. Thomas Mann. *Buddenbrooks: The Decline of a Family*, trans. John E. Woods (New York: Knopf, 1993), 313–14. [Translation slighty modified. –Trans.]

108. Sociologically speaking, Christian's entire life can be seen as a series of exclusions and inclusions, with the final stage an inclusion in the literal sense of the word.

109. Ibid., 564–65.

110. See Niklas Luhmann, "Soziologie der Moral," in *Theorietechnik und Moral*, ed. Stephan H. Pfürtner (Frankfurt am Main: Suhrkamp, 1978), 8–116.

111. Christoph Martin Wieland, *Aristipp und einige seiner Zeitgenossen*, in *Sämtliche Werke* (Hamburg: Hamburger Stiftung zur Förderung von Wissenschaft und Kultur, 1984), 6:129. Alois Hahn's claim that the nation-state curtails "the danger of unleashing functional autonomies … 'from above'" and that "the invention of the human" is "its pendant 'from below'" should be expanded to include Wieland's position. See Alois Hahn, "Partizipative Identitäten," in *Konstruktionen des Selbst, der Welt und der Geschichte: Aufsätze zur Kultursoziologie* (Frankfurt am Main: Suhrkamp, 2000), 24.

112. Ulrich Bielefeld, *Nation und Gesellschaft: Selbstthematisierungen in Frankreich und Deutschland* (Hamburg: Hamburger Edition, 2003), 61.

113. Ibid., 343ff.

114. Ibid., 66.

115. Ibid., 76. In footnote 59, Bielefeld cites Luhmann: "When it [the nation] does not result in the formation of a state, the nation remains a mere idea."

116. G. W. F. Hegel, *Elements of the Philosophy of Right*, trans. H. B. Nisbet (Cambridge: Cambridge University Press, 1991), 11.

117. Dmitri Volkogonov, *Autopsy for an Empire: The Seven Leaders Who Built the Soviet Regime* (New York: Free Press, 1998), 461.

118. One of these rights is "personhood."

119. *State* is synonymous with a monopoly on violence; *failed state* is synonymous with the failure to achieve a monopoly on violence. On the state's inability to stop violence entirely, see Hassemer and Reemtsma, "Verbrechensopfer," 16–22.

120. Jan Philipp Reemtsma, "Nachbarschaft als Gewaltressource," *Mittelweg 36* 13, no. 5 (2004): 114–15.

Chapter 2: Power and Violence

1. Conversely, uncertainty about the limits of self is what drives many psychotics to autoaggression: the pain they suffer reaffirms their ego boundaries.

2. Quoted in Jan Philipp Reemtsma, "'Wir sind alles für dich!' An Stelle einer Einleitung: Skizze eines Forschungsprogramms," in *Folter: Zur Analyse eines Herrschaftsmittels*, ed. Jan Philipp Reemtsma (Hamburg: Junius, 1991), 13.

3. Birgitta Nedelmann observes, "Exponents of the new approach to violence make the case for taking physical harm … seriously" ("Gewaltsoziologie am Scheideweg," *Kölner Zeitschrift für Soziologie und Sozialpsychologie* 37 [1997]: 63).

4. The meaning of the term *phenomenological* can change from one context to the next, its semantic field constituted by what Wittgenstein calls "family resemblances." I use it here to indicate that my categories describe only the interpersonal aspects of violence, not its psychology or social context. I want to ask how violence makes possible psychological and social meaning in the first place. This kind of phenomenology addresses what Helmut Plessner calls "the basic form of human existence under the spell of the body" (*Laughing and Crying: A Study of the Limits of Human Behavior*, trans. James Spencer Churchill and Marjorie Grene [Evanston: Northwestern University Press, 1970], 11). The relation to the physical in each of the three categories is intentional without implying some underlying psychological meaning. For my purposes, the relation to the physical *is* the phenomenological intention; the psychological or sociological context is not my concern.

5. For more on these matters, see Jack Katz, *The Seductions of Crime: Moral and Sensual Attractions in Doing Evil* (New York: Basic Books, 1988).

6. For an early example of instrumental punishment, see the last section of Aeschylus's *The Eumenides*, in *The Oresteia*, trans. Alan Shapiro and Peter Burian (Oxford: Oxford University Press, 2003), 174–87.

7. Freud called man the "prosthetic god" in reference to human beings' ability to compensate for their weaknesses to the point of virtual omnipotence through tools, technology, or—as with slaves—other people. Revealingly, the Greek word for slave is

andrapoda, literally "human-footed," implying the reduction of the slave to a useful object, distinguishable from the beast only on the level of locomotion.

8. Later I will analyze the issue of power as it pertains to the political sphere.

9. Alexander Mitscherlich, "Zwei Arten der Grausamkeit," in *Gesammelte Schriften*, ed. Klaus Menne (Frankfurt am Main: Suhrkamp, 1983) 5:322–42.

10. This example specifically refers to testimony cited in Jonathan Shay's *Achilles in Vietnam: Combat Trauma and the Undoing of Character* (New York: Scribner, 1994), 116–17.

11. Hans Peter Duerr, *Obszönität und Gewalt* (Frankfurt am Main: Suhrkamp, 1993), 288–89; Norbert Elias, *The Civilizing Process: Sociogenetic and Psychogenetic Investigations*, trans. Edmund Jephcott (Oxford: Blackwell, 2000), 163.

12. The authoritative German-language reference work for philosophy, *Das Historische Wörterbuch der Philosophie*, does not include an entry for *das Böse* (evil) and gives only brief mention to *Bosheit* (malice). For general discussions on evil, see Karl Heinz Bohrer, *Die Ästhetik des Schreckens: Die pessimistische Romantik und Ernst Jüngers Frühwerk* (Berlin: Ullstein, 1995); Carsten Colpe and Wilhelm Schmidt-Biggemann, *Das Böse: Eine historische Phänomenologie des Unerklärlichen* (Frankfurt am Main: Suhrkamp, 1993); Eugen Drewermann, *Strukturen des Bösen* (Paderborn: F. Schöningh, 1978); Herbert Haag, *Vor dem Bösen ratlos?* (Munich: R. Piper, 1978); Sam Keen, *Faces of the Enemy: Reflections of the Hostile Imagination* (New York: Harper & Row, 1986); Susan Neiman, *Evil in Modern Thought: An Alternative History of Philosophy* (Princeton: Princeton University Press, 2002); Arno Plack, *Die Gesellschaft und das Böse: Eine Kritik der herrschenden Moral* (Munich: List, 1967); Rüdiger Safranski, *Das Böse, or, Das Drama der Freiheit* (Munich: C. Hanser, 1997); Christoph Schulte, *Radikal Böse: Die Karriere des Bösen von Kant bis Nietzsche* (Munich: Fink, 1988); Alexander Schuller and Wolfert von Rahden, ed., *Die andere Kraft: Zur Renaissance des Bösen* (Berlin: Akademie Verlag, 1993); Hans Schwarz, *Im Fangnetz des Bösen: Sünde, Übel, Schuld* (Göttingen: Vandenhoeck & Ruprecht, 1993); Hans-Jürgen Seemann and Rainer Meier, *Das Prinzip Bosheit: Die Alltäglichkeit der Schikane* (Weinheim: Beltz, 1988); and Andrew Vachss and Claus Leggewie, *Über das Böse: Andrew Vachss im Gespräch mit Klaus Leggewie* (Frankfurt am Main: Eichborn, 1994).

13. Schopenhauer, *On the Basis of Morality*, 136. Also see Schopenhauer, *The World as Will and Representation*, trans. E. F. J. Payne (New York: Dover, 1958), 1:331–33.

14. Quoted in *Historisches Wörterbuch der Philosophie*, s.v. "Bosheit" (by Ronald Beiner).

15. Homer, *The Iliad*, trans. Robert Fagles (Harmondsworth, U.K.: Penguin, 1998), 554–55.

16. Ibid., 607.

17. Euripides, *Trojan Women*, trans. Alan Shapiro (Oxford: Oxford University Press, 2009), 57.

18. Below I discuss occasional objections to this claim.

19. It is therefore all the more important that politics does not reduce war to military action and that we grow concerned whenever political discourse begins to co-opt military jargon.

20. From this perspective we see the perfidious talion in the Christian doctrine of Hell: its physical agony is punishment for the carnality of sensual pleasure.

21. Jean Améry, "Torture," in *At the Mind's Limits: Contemplations by a Survivor on Auschwitz and Its Realities*, trans. Sidney Rosenfeld and Stella P. Rosenfeld (Bloomington: Indiana University Press, 1980), 39–40.

22. Joachim C. Fest, *Plotting Hitler's Death: The Story of the German Resistance*, trans. Bruce Little (New York: Metropolitan Books, 1996), 278.

23. Jan Philip Reemtsma, "Was heißt 'Die Geschichte der RAF verstehen?'" in *Die RAF and der linke Terrorismus*, ed. Wolfgang Kraushaar (Hamburg: Hamburger Edition), 1:1364.

24. Robert Gernhardt, "Couplet von der Geilheit," in *Gedichte: 1954–1994* (Zurich: Haffmans Verlag, 1996), 331.

25. The existence of a basic distrust is, I submit, far more likely than that of Erikson's notion of a basic trust.

26. Jan Philipp Reemtsma, "Nathan schweigt," in *Warum Hagen Jung-Ortlieb erschlug*, 85.

27. For other aspects, see Jan Philip Reemtsma*, In the Cellar*, trans. Carol Brown Janeway (New York: A. A. Knopf, 1999).

28. See Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Pantheon Books, 1977), 48. The modern limitation of political power found its real and symbolic expression in denying the state the right to exercise autotelic violence. See Jan Philipp Reemtsma, *Folter im Rechtsstaat?* (Hamburg: Hamburger Edition, 2005).

29. See also Hans Magnus Enzensberger, *Schreckens Männer: Versuch über den radikalen Verlierer* (Frankfurt am Main: Suhrkamp, 2006).

30. Sigmund Freud*, The Ego and the Id*, in *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, ed. and trans. James Strachey (London: Hogarth Press, 1953–1974), 19:26.

31. Jacques Lacan, "The Mirror Stage as Formative of the *I* Function as Revealed in Psychoanalytic Experience," in *Écrits: The First Complete Edition in English*, trans. Bruce Fink (New York: W. W. Norton & Co., 2006), 75–76.

32. Ibid., 76.

33. Ibid., 78.

34. See here Donald Woods Winnicott, "Mirror-Role of Mother and Family in Child Development," in *Playing and Reality* (London: Tavistock, 1971), 111–18; and Mary Ayers, *Mother-Infant Attachment and Psychoanalysis: The Eyes of Shame* (New York: Brunner-Routledge, 2003), 63.

35. See Reemtsma, *In the Cellar*.

36. Try to fathom the iniquity of a religion that sought to deny people this option—threatening those who wished to avoid the martyrdom imposed on them with the promise of eternal suffering should they kill themselves. See Friedrich von Spee, *Cautio Criminalis, or, A Book on Witch Trials*, trans. Marcus Hellyer (Charlottesville: University of Virginia Press, 2003), 74.

37. Are certain so-called perversions among the complementary opposites of locative and raptive violence? Those who practice BDSM usually have a safe word to make

sure the acts remain consensual, and thus nonviolent. What about consensual cannibalism? It's virtually impossible to think of killing and eating another person as being anything but violent, even if the victim consents to be eaten beforehand and doesn't protest during the process. These cases are oddities that challenge linguistic and legal categories. Hence the utility of the word "perverse."

38. Stockholm syndrome involves just this sort of fantasy.

39. Hannah Arendt, *On Violence* (New York: Harcourt, Brace & World, 1970), 35.

40. Dieter Claessens, "Macht und Herrschaft, soziale Zwänge und Gewalt," in *Einführung in Hauptbegriffe der Soziologie*, ed. Hermann Korte and Bernhard Schäfers (Opladen: Leske & Budrich, 2000), 161.

41. Urs Jaeggi, "Macht," in *Handbuch Soziologie: Zur Theorie und Praxis sozialer Beziehungen*, ed. Harald Kerber and Arnold Schmieder (Reinbek bei Hamburg: Rowohlt Taschenbuch Verlag, 1984), 343–47. I should note here that Max Weber's understanding of power is more complicated than these sociologists make it sound. According to Weber, power must be considered in combination with domination (*Herrschaft*), which he defines as "the probability that a command with a given specific content will be obeyed by a given group of persons" (*Economy and Society: An Outline of Interpretative Sociology*, trans. Ephraim Fischoff and others [Berkeley: University of California Press, 1978], 53). Weber explains further: "The concept of power is sociologically amorphous. All conceivable qualities of a person and all conceivable combinations of circumstances may put him in a position to impose his will in a given situation. The sociological concept of domination must hence be more precise and can only mean the probability that a *command* will be obeyed" (ibid.).

These remarks make it clear that Weber's concept of power is far less martial than the sociologists I cite suggest. Power is sociologically amorphous because it *cannot* be traced back to other means. To have power is to carry out one's will *despite* resistance. Many Weber interpreters understand resistance as the test power must pass for it to be considered power at all. But Weber uses *despite* in a different sense. Power exists when obedience is expected (which is to say, in situations of domination), but not only there. Power can also exist without resistance. Sociologists who see violence as an essential element in Weber's concept of power confuse *Macht* with *Herrschaft*.

42. Wolfgang Sofsky and Rainer Parin, *Figurationen sozialer Macht: Autorität – Stellvertretung – Koalition* (Frankfurt am Main: Suhrkamp, 1994), 343–44.

43. David Hume, "Of the First Principles of Government," in *Hume: Political Essays*, ed. Knud Haakonssen (Cambridge: Cambridge University Press, 1994), 16.

44. Are these empirical questions or questions of definition? This depends on the definition. To learn about the relationship between power and violence one must leave room for surprises. Those who define violence as the foundation of all power relations limit their own possibilities. They must either flat-out reject counterexamples or refute them by way of complicated assumptions. They must claim, for instance, that the weaker person in a power relation is always aware of an implicit threat of violence even when explicit violence is absent, insofar as the weaker person extrapolates the violence that will ultimately befall him from the negative consequences of insubordination. Or they claim that obedience is taught by threats of violence, so that the weaker party perceives

explicit threat in every command. These assumptions may be correct, or not. In either case, though, such far-reaching assumptions should not be made at the outset of a study.

Restricted definitions result from a restricted selection of examples. "It is a mistake," Giddens argues, "to treat power as inherently divisive, but there is no doubt that some of the most bitter conflicts in social life are accurately seen as 'power struggles'" (*The Constitution of Society: Outline of the Theory of Structuration* [Cambridge: Polity Press, 1984], 283). Giddens criticizes not only the idea that violence is the foundation of power but the tendency to see power relations in every potential conflict. Like Arendt, Giddens sets himself apart from an intellectual tradition:

> Marxism and socialism more generally, as Durkheim discerned, share a good deal in common with their nineteenth-century opponent, utilitarian liberalism. Each participates in a "flight from power," and each ties power inherently to conflict. Since in Marx power is grounded in class conflict, it poses no specific threat in the anticipated society of the future: class division will be overcome as part and parcel of the initiation of that society. For liberals, however, who deny the possibility of achieving such a revolutionary reorganization of society, the threat of power is omnipresent (ibid., 256–57).

45. Hannah Arendt, *The Human Condition* (Chicago: University of Chicago Press, 1958), 200.

46. Max Weber, *Economy and Society*, 28.

47. Arendt, *The Human Condition*, 202.

48. Ibid., 201.

49. Ibid., 200. A few pages later, Arendt writes:

> Perhaps nothing in our history has been so short-lived as trust in power, nothing more lasting than the Platonic and Christian distrust of the splendor attending its space of appearance, nothing—finally in the modern age—more common than the conviction that "power corrupts." The words of Pericles, as Thucydides reports them, are perhaps unique in their supreme confidence that men can enact *and* save their greatness at the same time.... Pericles' speech, though it certainly corresponded to and articulated the innermost convictions of the people of Athens, has always been read with the sad wisdom of hindsight by men who knew that his words were spoken at the beginning of the end (ibid., 204–205).

That which Arendt claims to have ended never actually began. Arendt idealizes this historical period to prevent her definition of power from colliding with reality. In doing so, she avoids power's ambivalence, relying solely on its meaning as *dynamis* and ignoring the senses contained in *kratos*, *arche*, and *potestas*.

50. Luhmann, *Power*, 107.

51. Ibid., 114.

52. Ibid., 121.

53. Ibid., 121.

54. The concept of power advanced by Sofsky and Parin rests on this very sort of speculation. (See, for instance, *Figurationen sozialer Macht*, 9.) It seems to me of great practicality to dispense with such assumptions.

55. Luhmann notes that "all social systems are potential conflicts" (*Power*, 110).

56. Luhmann, *Power*, 122.

57. Heinrich Popitz, *Phänomene der Macht* (Tübingen: Mohr Siebeck, 1992), 197–98.

58. Arendt fails here too, seeing only the ability of a group's members to be inspired by others, not the coercion imposed on nonmembers to do what the group says.

59. Ibid., 199.

60. Ibid., 223.

61. Weber's three types of domination rationalize trust in power's ordering role. Charismatic domination is ambivalent because it both increases participatory power and denies it.

62. Popitz, *Phänomene der Macht*, 226.

63. Ibid., 224–25.

64. Ibid., 209ff.

65. Ibid., 213.

66. Ibid., 213–14.

67. Their only form of coercive power would have been to quit. Would this have forced the government to change the targets or not to bomb at all? It seems unlikely. But the question is moot anyhow: the scientists wanted to see results as much as the government did.

68. For more on the utility of rail for the military, see John Keegan, *A History of Warfare* (New York: Knopf, 1993), 299ff. As for nuclear weapons, it should be noted that they reverse conventional warfare's logic of escalation, according to which what used to be war's worst-case outcome—the destruction of the enemy's civilian population—is now its immediate consequence. For more on the role of nuclear weapons in warfare, see chapter 4.

69. For more on the Russian Revolution and the Knight of Long Knives, see chapter 4.

70. "One might perhaps consider," writes Walter Benjamin in "Critique of Violence," "that the law's interest in a monopoly of violence vis-á-vis individuals is explained not by the intention of preserving legal ends but, rather, by the intention of preserving the law itself" (*Selected Writings*, Volume 1: *1913–1926* [Cambridge: Harvard University Press, 1996], 239).

71. For more on the reign of Augustus, see Jochen Bleicken, *Augustus: Eine Biographie* (Berlin: A. Fest, 1998).

72. See Aloys Winterling, *Caligula: Eine Biographie* (Munich: Beck, 2003), 152.

73. See Robert Payne and Nikita Romanoff, *Ivan the Terrible* (New York: Crowell, 1975).

74. Paradoxically, the diffuse sense of fear people feel in a dictatorship results from strategies of self-protection. When in doubt, they always assume a dictatorial model.

This avoids nasty surprises, but being on the safe side means always being in doubt. Joining the state security service is one way out.

75. The SA was not a state organization per se, but it did terrorize real and potential opponents of the Nazi regime. As a rule, regimes that practice state terrorism rely on paramilitary organizations (death squads, secret police, and so on). Such groups do the state's dirty work, but they also undercut the state's monopoly on violence: when the terror is over, the state must do battle against the very forces it hired to commit violence.

76. See Michael Wildt, "Die politische Ordnung der Volksgemeinschaft: Ernst Fraenkel's 'Doppelstaat' neu betrachtet," *Mittelweg 36* 12, no. 2 (2001): 45–61.

77. In military dictatorships, for instance, the majority of people are willing to accept an atmosphere of insecurity provided they are convinced it's temporary and that the victims deserve their fate.

78. Gisela Diewald-Kerkmann, "Denunziantentum und Gestapo: Die Freiwilligen 'Helfer' aus der Bevölkerung," in *Die Gestapo: Mythos und Realität*, ed. Gerhard Paul, Klaus-Michael Mallmann (Darmstadt: Wissenschaftliche Buchgesellschaft, 1995), 290.

79. Saul Friedländer, *Nazi Germany and the Jews*, Volume 1: *The Years of Persecution, 1933–1939* (New York: HarperCollins, 1997).

80. Diewald-Kerkmann, "Denunziantentum und Gestapo," 303.

Chapter 3: Delegitimation/Relegitimation

1. Ovid, *Metamorphoses*, trans. Rolfe Humphries (Bloomington: Indiana University Press, 1955), 6.385–95.

2. See Kai Michel, "Kein Mitleid mit Marsyas: Die Griechen schauten bei Gewaltdarstellungen genau hin," *Frankfurter Allgemeine Zeitung,* January 21, 2004.

3. See Schmidt, "Leviathan," 39. [Translation slightly modified. —Trans.] Schmidt's "etwas, das besser nicht wäre" was borrowed from Schopenhauer. See his *The World as Will and Representation*, 2:492 and 577.

4. Stanley Weston, *The Heavyweight Champions* (New York: Ace Book, 1976), 128–29.

5. A notorious example: the former heavyweight world champion Mike Tyson was disqualified from a match for biting his opponent's ear.

6. To these and similar restrictions one need always add "whenever possible." At issue are norms that can be violated, but are no less valid for that. A murder does not vitiate the law that prohibits it. Only if murder began going unpunished could we assume the erosion of law.

7. See Hans Jakob Christoffel von Grimmelshausen, *Der abentheuerliche Simplicissimus Teutsch*, in *Werke*, ed. Dieter Breuer (Frankfurt am Main: Suhrkamp, 1989), 1/1:27–30.

8. Spousal rape was criminalized in Germany only recently. Some will dispute the claim that spousal "rape" was legal to begin with, but this is just semantics. The fact is that

a husband was permitted to force himself on a wife who refused him sex. The point of the new legislation was to attach the term "rape"—a crime no one was keen on legitimizing—to a still legal and, for many, still legitimate act, and delegitimize it in the process. Accepting the delegitimation that accompanied illegalization has proven difficult, however. The zones of the permitted and the prohibited are slow to change.

9. As Saladin says to Nathan: "A man like you does not remain where chance / Of birth has cast him" (Lessing, *Nathan the Wise*, 230).

10. Of course, this is also the very reason the ironist distrusts seriousness. The most concise formulation of the role of seriousness in world history was written by Douglas Adams:

> "We're not obsessed by anything, you see," insisted Ford.
> "..."
> "And that's the deciding factor. We can't win against obsession. They care, we don't. They win."

See Douglas Adams, *Life, the Universe and Everything* (1982; reprint, New York: Del Rey, 2005), 111.

11. Todorov, *The Conquest of America*, xii.

12. For more on the encounter, see Richard Lee Marks, *Cortés: The Great Adventurer and the Fate of Aztec Mexico* (New York: Knopf, 1993); Jan Philipp Reemtsma, "Cortez et al.," in *u.a. Falun: Reden und Aufsätze* (Berlin: Edition Tiamat, 1992), 167–88; and Reemtsma, "Die Idee des Vernichtungskrieges."

13. Keegan, *A History of Warfare*, 12.

14. It is unclear whether cannibalism was the primary purpose of the slaughter, as Marvin Harris argues, or whether it was merely a welcome by-product. See Harris, *Good to Eat: Riddles of Food and Culture* (New York: Simon and Schuster, 1985), 229.

15. Hernán Cortés, *The Conquest of Mexico* (Greeley: Museum of Anthropology, University of Northern Colorado, 1980). Women and children were not included in any of their figures. See Marks, *Cortés*, 255.

16. See Barbara Tuchman, *A Distant Mirror: The Calamitous 14th Century* (New York: Ballantine, 1978), 82–85; John Keegan, *The Face of Battle: A Study of Agincourt, Waterloo, and the Somme* (New York: Penguin, 1978), 78–116; and Hans Delbrück, *History of the Art of War, Volume 3: Medieval Warfare*, trans. Walter J. Renfroe, Jr. (Lincoln: University of Nebraska Press, 1975), 385–427. Unlike Tuchmann and Keegan, Delbrück sees war as a transhistorical and rational undertaking in which cultural factors play little to no role.

17. See, for instance, the May 2, 1941, quotation from General Erich Hoepner in Hamburger Institut für Sozialforschung, "Besucher einer Ausstellung," 42.

18. The Nazi ideology was not a consistent set of beliefs but a patchwork of views, held with differing levels of emphasis and united only by their radicality.

19. The military and political leadership of the Nazi regime made a similar argument.

20. See Michael Wildt, *An Uncompromising Generation: The Nazi Leadership of the Reich Security Main Office*, trans. Tom Lampert (Madison: University of Wisconsin Press, 2009), 278.

21. In *Henry V*, the king declares: "But hark! what new alarum is this same? / The French have reinforced their scattered men. / Then every soldier kill his prisoners! / Give the word through" (IV.6.35–38).

22. See Jan Philipp Reemtsma, "Einige Gedanken zu den Versen 426 bis 438 des 24. Gesangs der Odyssee," in *Warum Hagen Jung-Ortlieb erschlug*, 15–35.

23. Michel de Montaigne, *The Complete Essays*, trans. M. A. Screech (Hammondsworth: Penguin, 1991), 482.

24. See *Historisches Wörterbuch der Philosophie*, s.v. "Mitleid" (by Lothar Samson).

25. Richard van Dülmen, ed., *Die Entdeckung des Ich: Die Geschichte der Individualisierung vom Mittelalter bis zur Gegenwart* (Cologne: Böhlau, 2001).

26. Augustine, *Confessions*, trans. Henry Chadwick (Oxford: Oxford University Press, 2008), 3, 6.

27. Ibid., 3.

28. Montaigne, *The Complete Essays*, lxiii.

29. Kurt Flasch, *Augustin: Einführung in sein Denken* (Reclam: Stuttgart, 1994), 361.

30. See Richard Friedenthal, *Die Entdecker des Ich: Montaigne—Pascal—Diderot* (Munich: R. Piper, 1969); and Jean Starobinski, *Montaigne in Motion* (Chicago: Chicago University Press, 1985).

31. Pope John Paul II saw this clearly. See *Karol* Wojtyla (John Paul II), *Memory and Identity: Conversations at the Dawn of the Millennium* (New York: Rizzoli, 2005), 10ff.

32. See Stephen Toulmin, *Cosmopolis: The Hidden Agenda of Modernity* (New York: Free Press, 1990); and Jan Philipp Reemtsma, "'Tis all in pieces …': Stephen Toulmin zum 70sten," *Mittelweg 36* 1, no.1 (1992): 15–28.

33. Some of the forms assumed by that worldview would parody thought itself. See Gernot Böhme and Hartmut Böhme, *Das Andere der Vernunft: Zur Entwicklung von Rationalitätsstrukturen am Beispiel Kants* (Suhrkamp: Frankfurt am Main: 1983); and Jan Philipp Reemtsma, *Das Buch vom Ich: Christoph Martin Wieland's* Aristipp und einige seiner Zeitgenossen (Zurich: Haffman, 1993).

34. Niklas Luhmann, "Individuum, Individualität, Individualismus," in *Gesellschaftsstruktur und Semantik: Studien zur Wissenssoziologie der modernen Gesellschaft* (Frankfurt am Main: Suhrkamp, 1989), 3:214–15.

35. Ibid., 3:158.

36. Ibid., 160. See also my discussion of *Confessions of Felix Krull*, in chapter 1.

37. See Luhmann, "Individuum, Individualität, Individualismus," 175.

38. Montaigne, *The Complete Essays*, 482.

39. Ibid., 484.

40. See Luhmann, "Individuum, Individualität, Individualismus," 167–68.

41. Montaigne, *The Complete Essays*, 482.

42. Christoph Martin Wieland, *Die Geschichte des weisen Danischmend und der drey Kalender*, in *Sämtliche Werke* (1794; reprint, Hamburg: Hamburger Stiftung zur Förderung von Wissenschaft und Kultur, 1984), 3/8:5–6.

43. Arthur Schopenhauer, *On the Basis of Morality*, 92.

44. Montaigne, *The Complete Essays*, 488.

45. Joachim Heinrich Campe, *Robinson the Younger* (Frankfurt am Main: F. Wilmans, 1807), ix.

46. Albrecht Schöne, *Götterzeichen, Liebeszauber, Satanskult: Neue Einblicke in alte Goethetexte* (Munich: C. H. Beck, 1982), 184ff.

47. On Wieland's sojourn at Warthausen Castle, see Friedrich Sengle, *Wieland* (Stuttgart: J. B. Metzler, 1949).

48. Some estimates are in the millions, while others are no higher than several thousand. The current consensus is that the upper range has been greatly exaggerated. Most historians now speak of between 50,000 and 100,000 victims over a 350-year period. See Riedl, *Der Hexerei verdächtig: Das Inquisitions- und Revisionsverfahren der Penzliner Bürgerin Benigna Schulzen* (Göttingen: Wallstein Verlag, 1998), 19 and 36. Between the years 1540 and 1689, men made up 5 to 20 percent of those accused of witchcraft in Schleswig-Holstein (see Rolf Schulte, *Hexenverfolgungen in Schleswig-Holstein vom 16.-18. Jahrhundert* [Heide: Boyens & Co., 2001], 94). In France the percentage of men at times reached 60 percent (see Gerda Riedel, *Der Hexerei verdächtig*, 40). But as Lyndal Roper observes, "the image of the witch was remarkably consistent: she was an old woman, and she attacked young children." "There were," Roper continues,

> exceptions to this rule: in the very first trials in Switzerland, men outnumbered women, but they soon fell behind; in France, the proportions of men whose appeals against conviction for witchcraft were heard by the Parlement of Paris were always high. In Normandy, the world was turned upside-down: there, men made up three-quarters of those convicted, though many were actually priests misusing sacred objects for weather magic. But in England, as in Scotland, witches tended to be old women who cursed their neighbours, killed their cattle and made children ill when their requests for alms were not met.… In some areas, women made up 90 per cent or more of the victims (*Witch Craze: Terror and Fantasy in Baroque Germany* [New Haven: Yale University Press, 2006], 17–18).

49. Ibid., 37. Roper puts the number of deaths in Baden-Württemberg and Bavaria at nine thousand, "a third of the German total" (*Witch Craze*, 19).

50. See Riedl, *Der Hexerei verdächtig*, 39; and Schulte, *Hexenverfolgung in Schleswig-Holstein*, 67–71.

51. Richard van Dülmen, "Das Schauspiel des Todes: Hinrichtungsrituale in der frühen Neuzeit," *Volkskultur: Zur Wiederentdeckung des vergessenen Alltags (16.-20. Jahrhundert)*, ed. Richard Dülmen and Norbert Schindler (Frankfurt am Main: Fischer, 1984), 244.

52. Fernand Braudel, *The Wheels of Commerce*, trans. Sian Reynolds (New York: Harper & Row, 1982), 518.

53. Ibid., 517–18.

54. C. V. Wedgwood, *The Thirty Years' War* (1938; reprint, New York: The New York Review of Books, 2005).

55. See Walter Pötzel, *Mörder, Räuber, Hexen: Kriminalgeschichte des Mittelalters und der Frühen Neuzeit* (Augsburg: Heimatverein für den Landkreis Augsburg, 2004), 107 and 110.

56. See Richard J. Evans, *Rituals of Retribution: Capital Punishment in Germany, 1600–1987* (Oxford: Oxford University Press, 1996), 93.

57. The fingers were thought to bring good luck and ward off evil. See ibid., 94.

58. Johann Wolfgang von Goethe, *Egmont*, trans. Michael Hamburger, in *Goethe's Collected Works* (New York: Suhrkamp Publishers, 1983–89), 104.

59. Michel Foucault, *Discipline & Punish: The Birth of the Prison* (New York: Pantheon Books, 1977).

60. In England, the historical remove from the inquisitorial procedures that shaped legal practice on the Continent made torture the exception, at least officially. See Matthias Schmoeckel, *Humanität und Staatsraison: Die Abschaffung der Folter in Europa und die Entwicklung des gemeinen Strafprozeß- und Beweisrechts seit dem hohen Mittelalter* (Cologne: Böhlau, 2000).

61. Quoted in Gloria Eschbaumer, *Bescheidenliche Tortur: Der ehrbare Rat der Stadt Nördlingen im Hexenprozeß 1593/94 gegen die Kronenwirtin Maria Holl* (Nördlingen: Verlag der Buchhandlung Greno, 1983), 37–38.

62. Roper mentions the 1747 case of Magdalena Bollmann of Marchtal. Over the course of ten weeks, Bollmann was tortured to the brink of unconsciousness, yet she still would not confess to being a witch. (She eventually died from her injuries.) Roper writes, "The case of Bollmann is extraordinary, unusual both in the late date at which it occurred and in the savagery with which torture was applied. It is not, however, unique" (*Witch Craze*, 50).

63. Schulte, *Hexenverfolgung in Schleswig-Holstein*, 67.

64. Victor Hugo, one of the nineteenth-century writers who made literature out of their aversion to the cruelties of the past, created an archetype for the torture survivor: the hunchback of Notre Dame.

65. Freud, "The Uncanny," in *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, 17:248.

66. See, for instance, Edward Peters, *Torture* (New York: Blackwell, 1985).

67. Torture was introduced in Verona in 1231. Frederick II included it in the Constitutions of Melfi the same year.

68. It is a remarkable fact that the Church codified purgatory in the same breath as it codified torture. Equally remarkable is the fact that Jacques Le Goff overlooked this coincidence in his *The Birth of Purgatory* (trans. Arthur Goldhammer [Chicago: Chicago University Press, 1984]).

69. See Henry Charles Lea, *The Inquisition of the Middle Ages* (New York: Macmillan, 1961).

70. See Riedl, *Der Hexerei verdächtig*, 43–51.

71. The brazen bull, also known as the bull of Phalaris, was first mentioned in a macabre anecdote dating back to ancient Greece.

72. Franz Helbing and Max Bauer, *Die Tortur: Die Geschichte der Folter im Kriminalverfahren aller Zeiten und Völker* (Berlin: P. Langenscheidt, 1926).

73. Helbing and Bauer provide a catalog of authors and works critical of the practice: Geiler von Kaisersberg (1445–1519); Stefan Lanzkranna, *Probst zu Wien*, 1449; Cornelius Heinrich Agrippa von Nettesheim, *De occulta philosophia*, 1531; Johann Weyer, *De praestigiis daemonum et incantationibus ac veneficiis*, 1563; Pierre Charon (1541–1603); Cornelius Loos (1546–1593); Adam Tanner (1572–1632); Paul Leymann (1575–1635); *Theologia moralis*, 1625; Friedrich von Spee (1592–1635); *Cautio criminalis*, 1631; Johannes de Greve, *Tribunal reformatum*, 1622; Balthasar Bekker (1634–98); De betoverde Wereld (1691); Christian Thomasius (1655–1728); Cesare de Beccaria-Bonesana, *Die delittí e delle pene*, 1764; Josef von Sonnenfels (1732–1817). One of the most eminent critics is not mentioned by Helbing and Bauer: the Erasmus disciple Juan Luis Vives. For more on Vives, see Schmoeckel, *Humanität und Staatsraison*, 112–19.

74. In act III, scene 7 of *King Lear*, a servant constrains the Duke of Cornwall after he attempts to rip out the eyes of a prisoner. For *Richard III*, see the next section.

75. Dülman, "Das Schauspiel des Todes," 206.

76. Foucault, *Discipline and Punishment*, 49–50.

77. Frederick the Great, *Abhandlung über die Gründe, Gesetze einzuführen oder abzuschaffen,* in *Friedrich der Große—Potsdamer Ausgabe*, trans. Brunhilde Wehinger and ed. Anne Baillot and Brunhilde Wehinger (Berlin: Akademie Verlag, 2007), 6:293.

78. Whether from conviction or, as was more likely, from prudence, Spee never disputed the existence of witchcraft itself.

79. Ibid., 73. Spee mentions two other causes for the high number of witch prosecutions: public ignorance of natural science and a general tendency to denounce one's neighbor. See *Cautio criminalis,* 16–18.

80. Ibid., 74.

81. Ibid.

82. See Niklas Luhmann, *Das Recht der Gesellschaft* (Frankfurt am Main: Suhrkamp, 1993), 577, n. 50.

83. See Horst Karasek, *Die Vierteilung: Wie dem Königsmörder Damiens 1757 in Paris der Prozeß gemacht wurde* (Berlin: Klaus Wagenbach, 1994).

84. See Dülmen, "Das Schauspiel des Todes," 244.

85. Evans, *Rituals of Retribution*, 240.

86. Henri Sanson, ed. and trans., *Memoirs of the Sansons: From Private Notes and Documents* (London: Chatto and Windus, 1876), 1:213. [Translation modified and supplemented where incomplete. —Trans.] The book, about a family of executioners in Paris, was published in 1862, and whether a true account or a literary retelling, it documented

past cruelties just as the late nineteenth century became fascinated with them. Decisive here is less the book's veracity than its interpretation of events.

87. Richard J. Evans, *Rituals of Retribution*, 225–26.

88. Karl Philipp Hartknopf, *Andreas Hartknopf: Eine Allegorie*, in *Karl Philipp Hartknopf: Werke in zwei Bänden*, ed. Heide Hollmer and Albert Meier (Frankfurt am Main: Deutscher Klassiker Verlag, 1997–99), 1:546–47.

89. Bernd Roeck, *Als wollt die Welt schier brechen: Eine Stadt im Zeitalter des Dreißigjährigen Krieges* (Munich: C. H. Beck, 2006), 112. Roeck goes on to note that many of the reports may have been written to dishonor the enemy.

90. Wedgwood, *The Thirty Years' War*, 419–20.

91. Goethe, *From My Life: Poetry and Truth*, in *Goethe's Collected Works*, 4:72–73.

92. Ibid., 73.

93. Ibid., 86.

94. Ibid., 87.

95. Jan Philipp Reemtsma, "Harold Bloom: Shakespeare. Was wären wir ohne ihn? Wenn Philologen schwärmen—eine Liebeserkläung an William Shakespeare," *Literaturen* 10 (2000): 48.

96. Friedrich Dürrenmatt, *Titus Andronicus: Eine Komödie nach Shakespeare* (Zurich: Arche, 1970), 7.

97. Jan Kott, *Shakespeare Our Contemporary* (New York: Norton, 1974), 345.

98. Rolf Vollmann, *Shakespeares Arche: Ein Alphabet von Mord und Schönheit* (Nördlingen: F. Greno, 1988), 457–58.

99. See Ulrich Suerbaum, *Der Shakespeare-Führer* (Stuttgart: Reclam, 2001), 236–37.

100. Ibid., 327.

101. Kott, *Shakespeare Our Contemporary*, 346.

102. Harold Bloom, *Shakespeare: The Invention of the Human* (New York: Riverhead Books, 1998), 78.

103. Kott, *Shakespeare Our Contemporary*, 346–47.

104. A similar scene of mourning can be found in Gottfried Keller's "Die kleine Passion," an elegy to a mosquito smashed between the pages of a book on a sunny September day. Arno Schmidt called the compassion expressed in this poem the "basis of all morality." See Gottfried Keller, *Gedichte*, in *Sämtliche Werke in Sieben Bänden*, ed. Thomas Böning and others (Deutscher Klassiker Verlag: Frankfurt am Main, 1985–96), 1:686–87; and Arno Schmidt, "Der sanfte Unmensch: Einhundert Jahre 'Nachsommer,'" in *Werke*, Werkgruppe II, ed. Arno Schmidt Stiftung (Zurich: Haffmanns Verlag 1989–1990), 2:61–85.

105. Suerbaum notes that the first definitive proof of the play's existence is its 1597 printing. See *Der Shakespeare-Führer*, 194.

106. Rolf Hochhuth, "Sikorski und Churchill," in Hochhuth, *Täter und Denker: Profile und Probleme von Cäsar bis Jünger* (Stuttgart: Deutsche Verlag-Anstalt, 1987), 111. The "absolute evil" to which Hochhuth refers is represented by the figure of the doctor in *The Deputy*.

107. In chapter 1, I discuss Richard's trouble maintaining power.

108. See Hannah Arendt, "Thinking and Moral Considerations," in *Responsibility and Judgment*, ed. Jerome Kohn (New York: Schocken Book, 2003), 183.

109. For more on Macbeth, see Jan Philipp Reemtsma, "Paare—Passionen: Das Ehepaar Macbeth," *Shakespeare Jahrbuch* 104 (2004): 130–50.

110. On the relationship between the monopolization of violence and the regulation of power Luhmann writes:

[T]he law has to start from the condition of peace already secured if it is to achieve more than just the conditioning of physical force. This, then, refers to the dependence of the evolution of law on the parallel evolution of the political system that, with a kind of primary expropriation of society, withdraws the means of power, of physical force, from society and consolidates its own powers on this basis (*Law as a Social System*, trans. Klaus Ziegert [Oxford: Oxford University Press, 2004], 262).

111. I discuss Wilhelm Tell at length in chapter 5.

112. Geoffrey Parker, *The Military Revolution: Military Innovation and the Rise of the West, 1500–1800* (Cambridge: Cambridge University Press, 1996), 144.

113. Montaigne, *Essays*, 482–84.

114. The electric chair was introduced in the United States on the grounds that it provided painless death. Though this form of execution has since proven particularly cruel, the few states that retain it continue to insist on its humaneness.

115. See Mitscherlich, "Zwei Arten der Grausamkeit."

116. Seneca, *Epistles* 66–92, trans., Richard M. Gummere (Cambridge: Harvard University Press, 1962), epistle 70, 56–71.

117. G. W. F. Hegel, *Introduction to* The Philosophy of History*: with Selections from* The Philosophy of Right, trans. Leo Rauch (Indianapolis: Hackett, 1988), 37–38.

118. Ibid., 18.

119. Ibid., 37.

120. Niklas Luhmann, *Power*, 150. For more on Luhmann's understanding of violence and system, see Niklas Luhmann, "Am Anfang war kein Unrecht," in Luhmann, *Gesellschaftsstruktur und Semantik: Studien zur Wissenssoziologie* (Frankfurt am Main: Suhrkamp, 1999), 3:11–64.

121. Hegel, *Introduction to* The Philosophy of History, 49.

122. See Alison Liebhafsky Des Forges, *"Leave None to Tell the Story": Genocide in Rwanda* (New York: Human Rights Watch, 1999), 638–39.

123. Friedrich Nietzsche, *Thus Spoke Zarathustra: A Book for All and None*, trans. Adrian Del Caro (Cambridge: Cambridge University Press, 2006), 26–27.

124. Quoted in Hans-Martin Lohmann, *Alexander Mitscherlich* (Reinbek: Rowohlt, 1987), 73. See also Ernst Klee, *Deutsche Medizin im Dritten Reich: Karrieren vor und nach 1945* (Frankfurt am Main: S. Fischer, 2001).

125. See Lohmann, *Alexander Mitscherlich*, 73–74.

126. Ulrich Bielefeld, *Nation und Gesellschaft*, 66.

127. Ibid., 67–68.

128. For more on the concept of collective glory, see Thomas Laqueur, "Von Agincourt bis Flandern: Nation, Name und Gedächtnis," in *Bilder der Nation: Kulturelle und politische Konstruktionen des Nationalen am Beginn der europäischen Moderne*, ed. Ulrich Bielefeld and Gisela Engel (Hamburg: Hamburger Edition, 1998), 351–78.

129. Thomas Abbt, *Vom Tode für das Vaterland*, in *Aufklärung und Kriegserfahrung: Klassische Zeitzeugen zum Siebenjährigen Krieg,* ed. Johannes Kunisch (Frankfurt am Main: Deutscher Klassiker Verlag, 1996), 589–650.

130. In an obituary for Abbt, Friedrich Nicolai described the atmosphere: "The fury of war was at its peak; the lands of Brandenburg were affright; enemy forces were closing in from all sides; but the courage of loyal subjects collected the final energy reserves to support the great king." Quoted in Johannes Kunisch, "Kommentar," in *Aufklärung und Kriegserfahrung: Klassische Zeitzeugen zum Siebenjährigen Krieg*," 974.

131. Ibid., 739–40.

132. Hans-Martin Blitz, *Aus Liebe zum Vaterland: Die deutsche Nation im 18. Jahrhundert* (Hamburg: Hamburger Edition, 2000), 155.

133. Letter from a Frankish man to a friend in Swabia. Quoted in Blitz, *Aus Liebe zum Vaterland*, 163.

134. See Sigmund Freud, *Group Psychology and the Analysis of the Ego*, in *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, 18:65–144.

135. In *Odes* Horace wrote, "It is sweet and proper to die for one's country." Wieland would later cast doubt on the honorability of the sentiment, derisively noting that Horace fled at first opportunity while under Brutus's command. But nothing more could be expected from a poet and intellectual at heart like Horace, and in any case, his view remained in the purview of the masculine ideal.

136. Abbt, *Vom Tode für das Vaterland*, 634.

137. Ibid., 591.

138. Ibid., 597.

139. Ibid., 600–601.

140. Ibid., 613.

141. Wieland, *Aristipp und einige seiner Zeitgenossen*, 129–30.

142. Christoph Martin Wieland, "Über teutschen Patriotismus: Betrachtungen, Fragen und Zweifel," in Christoph Martin Wieland, *Politische Schriften, insbesondere zur Französischen Revolution*, ed. Jan Philipp Reemtsma and Hans and Johanna Radspieler (Nördlingen: F. Greno, 1988), 3:126.

143. Bielefeld, *Nation und Gesellschaft*, 72.

144. Interestingly, one document spoke of taking Saxony "into custody" (*in Verwahrung nehmen*), thus reinforcing the captive function of the violence. See Blitz, *Aus Liebe zum Vaterland*, 158.

145. Quoted in Blitz, *Aus Liebe zum Vaterland*, 161.

146. Quoted in ibid., 166.

147. Ibid., 181–82.

148. Ibid., 182.

149. Quoted in ibid., 274.

150. Quoted in ibid., 273.

151. Helmuth Graf von Moltke, *Essays, Speeches, and Memoirs of Field Marshal Count Helmuth von Moltke*, trans. Charles Flint McClumpha, Major C. Barter, and Mary Herms (London: J. R. Osgood, McIlvaine, 1893), 2:136.

152. Ibid.

153. Ibid., 137.

154. Quoted in Thomas F. A. Smith, *What Germany Thinks, Or the War as Germans See It* (New York: Doan, 1915), 102.

155. Ibid.

156. Ibid.

157. Ibid.

158. Ibid., 103.

159. Ibid.

160. Ibid.

161. Karl Kraus, *The Last Days of Mankind*, trans. Alexander Gode and Sue Ellen Wright (New York: Frederick Ungar, 1974), 66–67.

162. Karl Kraus, *Die letzten Tage der Menschheit*, in *Schriften*, ed. Christian Wagenknecht (Frankfurt am Main: Suhrkamp: 1986–1994), 10:71–72. [This passage as well as the next three do not appear in the English edition of *The Last Days of Mankind*. Page references are to the German and translations are my own. —Trans.]

163. Ibid., 10:74.

164. Ibid., 10:81.

165. Ibid., 10:428.

166. Johann Wolfgang von Goethe, *The Siege of Mainz*, trans. Thomas P. Saine, in *Goethe's Collected Works* (New York: Suhrkamp Publishers, 1983–89), 5:768–70.

167. Karl Kraus, *The Last Days of Mankind*, excerpted in *In These Great Times: A Karl Kraus Reader*, trans. Joseph Fabry and Max Knight (Montreal: Engendra Press, 1976), 251. See act V, scene 50 of the original.

168. This is a central theme in Kraus's work. See Kurt Flasch, *Die geistige Mobilmachung: Die deutschen Intellektuellen und der Erste Weltkrieg* (Berlin: A. Fest, 2000), 377–78.

169. Those familiar with Dahn today know him from his popular novel *A Struggle for Rome* (1876). See Jan Philipp Reemtsma, "Untergang: Eine Fußnote zu Felix Dahns *Kampf um Rom*," *Rechtsgeschichte* 5 (2004): 76–106.

170. Felix Dahn, "Das Kriegsrecht," in *Bausteine: Gesammelte kleine Schriften* (Berlin: Otto Janke, 1884), 5/1:2–3.

171. Felix Dahn, "Vom Werden und Wesen des Rechts," in *Bausteine*, 4/1:307.

172. It's also the function of international criminal law. See Gerhard Stuby, "Internationale Strafgerichtsbarkeit und staatliche Souveränität," in *Strafgerichte gegen Menschheitsverbrechen: Zum Völkerstrafrecht 50 Jahre nach den Nürnberger Prozessen*, ed. Gerd Hankel and Gerhard Stuby (Hamburg: Hamburger Edition, 1995), 429–64.

173. For more on the ambiguity of human rights, see Michael Ignatieff, *Human Rights as Politics and Idolatry* (Princeton: Princeton University Press, 2001).

174. See Richard van Dülmen, *Theater des Schreckens: Gerichtspraxis und Strafrituale in der frühen Neuzeit* (Munich: Beck, 1985), 151–60.

175. Of the countries that used the devices, Scotland was the only exception to this rule. See Daniel Arasse, *The Guillotine and the Terror*, trans. Christopher Miller (New York: Penguin Press, 1989), 15.

176. Ibid., 13.

177. Ibid., 11.

178. Ibid.

179. See ibid., 16–26.

180. See Robespierre's May 30, 1791, speech, "On the Abolition of the Death Penalty," in *The French Revolution: A Document Collection*, ed. Laura Mason and Tracey Rizzo (Boston: Houghton Mifflin, 1999), 114–16.

181. Charles Henri Sanson, "Report to the Minister of Justice on the Mode of Decapitation," quoted in Arasse, *The Guillotine and the Terror*, 185.

182. Quoted in ibid., 21.

183. Quoted in ibid., 22.

184. Ibid., 23. In *The French Revolution: A History* (1837), Thomas Carlyle commented on the irony of Guillotin's fate:

Singular Guillotin, respectable practitioner, doomed by a satiric destiny to the strangest immortal glory that ever kept obscure mortal from his resting-place, the bosom of oblivion! Guillotin can improve the ventilation of the Hall; in all cases of medical police and *hygiène*, be a present aid: but, greater far, he can produce his "Report on the Penal Code"; and reveal therein a cunningly devised Beheading Machine, which shall become famous and world-famous. This is the product of Guillotin's endeavours, gained not without meditation and reading; which product popular gratitude or levity christens by a feminine derivative name, as if it were his daughter: *La Guillotine!* "With my machine, Messieurs, I whisk off your head in a twinkling, and you have no pain";—whereat they all laugh. Unfortunate Doctor! For two-and-twenty years he, unguillotined, shall hear nothing but guillotine, see nothing but guillotine; then dying shall through long centuries wander, as it were, a disconsolate ghost, on the wrong side of Styx and Lethe; his name like to outlive Caesar's ([New York: Harper, 1867], 1:139).

185. See Arasse, *The Guillotine and the Terror*, 108.

186. See ibid., 111.

187. Maximilien Robespierre, *Virtue and Terror*, trans. John Howe (London: Verso, 2007), 57–58.

188. Ibid., 99.

189. Quoted in Keith Michael Baker, ed., *The Old Regime and the French Revolution* (Chicago: Chicago University Press, 1987), 371 and 374.

190. Quoted in ibid., 374–75.

191. Robespierre, *Virtue and Terror*, 103.

192. Quoted in Olivier Blanc, *Last Letters: Prisoners and Prisoners of the French Revolution, 1793–1794* (London: A. Deutsch, 1987), 210.

193. Quoted in Jon Lee Anderson, *Che Guevara: A Revolutionary Life* (New York: Grove Press, 1997), 288.

194. See ibid., 376 and 385.

195. See ibid., 388.

196. Quoted in ibid., 375.

197. Quoted in ibid., 476.

198. Quoted in ibid., 392.

199. Quoted in ibid., 449.

200. Quoted in ibid., 716.

201. Büchner, *Danton's Death*, 22.

202. Quoted in Orlando Figes, *A People's Tragedy: The Russian Revolution: 1891–1924* (New York: Penguin, 1998), 630.

203. Yves Ternon notes that the killings took place in an alternating cycle. On one day the men were killed; on the next, the women; on the third, the children; on the fourth, the workers, and so on. See Yves Ternon, *L'État criminel: les génocides au XXe siècle* (Paris: Seuil, 1995), 217.

204. Service, *Lenin*, 441–42.

205. Ibid., 365.

206. Ibid., 395.

207. Ibid., 411.

208. Bertolt Brecht, *Saint Joan of the Stockyards*, trans. Frank Jones (Bloomington: Indiana University Press, 1969), 120.

209. Bertolt Brecht, *The Measures Taken, and Other Lehrstücke*, trans. Carl R. Mueller (London: Eyre Methuen, 1977), 25.

210. Quoted in Gyögy Lukács, *Lenin: A Study on the Unity of His Thought*, trans. Nicholas Jacobs (London: Verso, 2009), 90–91.

211. Quoted in Hamburger Institut für Sozialforschung, ed.., *Verbrechen der Wehrmacht: Dimensionen des Vernichtungskrieges 1941–1944* (Hamburg: Hamburger Edition, 2002), 42.

212. Quoted in ibid.

213. See ibid., 98.

214. See ibid., 83.

215. Quoted in ibid., 138.

216. See Wildt, *An Uncompromising Generation*, 217–42.

217. This was even true of members of police battalions assembled solely for that purpose. See Browning, *Ordinary Men*, 171.

218. Quoted in Christopher R. Browning, *The Origins of the Final Solution: The Evolution of Nazi Jewish Policy, September 1939–March 1942* (Lincoln: University of Nebraska Press, 2004), 353.

219. See Michael Wildt, "Sind die Nazis Barbaren?" in *Mittelweg 36* 15, no. 2 (2006): 8–26.

220. For more on the plan, see Magnus Brechtken, *"Madagaskar für die Juden": Antisemitische Idee und politische Praxis 1885–1945* (Munich: Oldenbourg, 1997).

221. Browning, *The Origins of the Final Solution*, 82.

222. For more, see Wildt, *An Uncompromising Generation*, 249–50.

223. See ibid., 499–506; Browning, *The Origins of the Final Solution*, 81–89; and David Cesarani, *Becoming Eichmann: Rethinking the Life, Crimes, and Trial of a "Desk Murderer"* (Cambridge, Mass: Da Capo Press, 2006), 85–89.

224. David Cesarani, *Becoming Eichmann*, 79.

225. Wildt, *An Uncompromising Generation*, 248.

226. Ibid., 500.

227. I return to this subject in the section in chapter 4 titled "The Logic of Terror."

228. See Internationaler Militärgerichtshof Nürnberg, ed., *Der Nürnberger Prozeß gegen die Hauptkriegsverbrecher vom 14. November 1945 bis 1. Oktober 1946* (Nuremberg, 1947), 12:362–63, 376–412. See also Richard Overy, *Interrogations: The Nazi Elite in Allied Hands, 1945* (New York: Viking, 2001), 185–86.

229. Walter Boehlich, *Der Berliner Antisemitismusstreit* (Frankfurt am Main: Insel-Verlag, 1965).

230. Quoted in Cesarani, *Becoming Eichmann*, 79–80.

231. Browning, *The Origins of the Final Solution*, 81.

232. And most would have still remembered the colonial massacre on Madagascar that left 100,000 dead and depopulated entire regions of the island. See Gert von Paczensky, *Weiße Herrschaft: Eine Geschichte des Kolonialismus* (Frankfurt am Main: Suhrkamp, 1982), 141ff.

233. Sigmund Freud, "Why War?" in *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, 22:213.

234. Ibid., 214-15. The next sentence, in obvious homage to Karl Kraus, reads: "It seems, indeed, as though the lowering of aesthetic standards in war plays a scarcely smaller part in our rebellion than do its cruelties." For more on Freud and violence, see Jan Philipp Reemtsma, *Wie weiter mit Sigmund Freud?* (Hamburg: Hamburger Edition, 2008).

235. Sigmund Freud, *Civilization and Its Discontents*, in *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, 21:120.

236. According to Freud, aggression is not an independent impulse but an expression of the death drive. Cell biologists have since provided ample proof of Freud's hypothesis.

237. The interior is where the drives are originally formed. The inclination to aggression is the death drive turned outward to prevent self-destruction.

238. Ibid., 21:114.

Chapter 4: Trust in Violence

1. [Translation slightly modified. —Trans.]

2. Ludwig Tieck, *Der Hexen-Sabbath*, in *Schriften* (Berlin: Georg Reimer, 1846), 20:233–34.

3. Ibid., 363–64.

4. Ibid. 366.

5. Ibid. 366–67.

6. Ibid., 367.

7. Popitz, *Phänomene der Macht*, 159–60.

8. See Jehuda Wallach, *Kriegstheorien: Ihre Entwicklung im 19. u. 20. Jahrhundert* (Frankfurt am Main: Bernard & Graefe, 1972); and Reemtsma, "Die Idee des Vernichtungskrieges."

9. Sigmund Freud, "Thoughts for the Times on War And Death," in *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, 14:280.

10. Ibid., 300.

11. Karl Kraus, "Die allerletzten Tage der Menschheit," in *Karl Kraus: Schriften*, 16:103–107.

12. Karl Kraus, "Die Welt nach dem Kriege," in *Karl Kraus: Schriften*, 16:299.

13. See Dieter Langewiesche, "Eskalierte die Kriegsgewalt im Laufe der Geschichte?" in *Moderne Zeiten? Krieg, Revolution und Gewalt im 20. Jahrhundert*, ed. Jörg Baberowski (Göttingen: Vandenhoeck & Ruprecht, 2006), 28.

14. See in chapter 3, "Permitted, Prohibited, Mandated" and "Disgust."

15. See John Horne and Alan Kramer, *German Atrocities, 1914: A History of Denial* (New Haven: Yale University Press, 2001), 38–53 and 435–44.

16. Quoted in Vejas G. Liulevicius, *War Land on the Eastern Front: Culture, National Identity and German Occupation in World War I* (Cambridge: Cambridge University Press, 2000), 230.

17. Quoted in ibid., 242.

18. For more on the Leipzig war crime trials, see Gerd Hankel, *Die Leipziger Prozesse: Deutsche Kriegsverbrechen und ihre strafrechtliche Verfolgung nach dem Ersten Weltkrieg* (Hamburg: Hamburger Edition, 2003).

19. See the sections on the relegitimation of violence, in chapter 3.

20. Hannah Arendt, "Some Questions of Moral Philosophy," in *Responsibility and Judgment*, 53.

21. Theodor W. Adorno, "Marginalia to Theory and Praxis," in *Critical Models: Interventions and Catchwords*, trans. Henry W. Pickford (New York: Columbia University Press, 1998), 268.

22. See Jürgen Habermas, "A Kind of Settlement of Damages: On Apologetic Tendencies in German History Writing," in *Forever In the Shadow of Hitler?* ed. Ernst Piper, trans. James Knowlton and Truett Cates (Atlantic Highlands, N.J.: Humanities Press, 1993), 41.

23. Golo Mann, *Briefe 1932–1992* (Göttingen: Wallstein, 2006), 301–302.

24. See Jan Philipp Reemtsma, "Über einen ästhetischen Einwand," in *Mord am Strand: Allianzen von Zivilisation und Barbarei* (Hamburg: Hamburger Edition, 1998), 208–23.

25. There were Jewish soldiers in the Wehrmacht, but they were rare exceptions. Becoming an armed defender of the Nazi regime was not an official option, otherwise the Nazis would have given Jews a clear choice: join a Jewish army regiment or face deportation.

26. Quoted in Manfred Hammes, *Hexenwahn und Hexenprozesse* (Frankfurt am Main: Fischer-Taschenbuch-Verlag, 1977), 133.

27. One case was Hitler's brother-in-law, Hermann Fegelein. See Joachim C. Fest, *Inside Hitler's Bunker: The Last Days of the Third Reich*, trans. Margot Bettauer Dembo (New York: Farrar, Straus and Giroux, 2004), 100.

28. Burton Raffel, trans., *Das Nibelungenlied – Song of the Nibelungs* (New Haven: Yale University Press, 2006), 16.

29. Homer, *The Odyssey*, trans. Robert Fagles (New York: Penguin Classics, 1997), 339–40.

30. Karl May, *The Treasure of Silver Lake: A Travel Narrative*, trans. Herbert Windolf (Pierpoint, S.D.: Nemsi Books, 2005), 241.

31. Arno Schmidt, "Leviathan," 36–38.

32. Quoted in Richard B. Frank, "No Bomb, No End," in *What If? 2: Eminent Historians Imagine What Might Have Been*, ed. Robert Crowley (New York: Putnam, 2001), 368.

33. Ibid., 369.

34. See Gar Alperovitz, *The Decision to Use the Atomic Bomb and the Architecture of an American Myth* (New York: Knopf, 1995).

35. Günther Anders, *Die Antiquiertheit des Menschen* (Munich: Beck, 1987), 1: 233–324.

36. Hans Henny Jahnn, "Thesen gegen Atomrüstung," in *Werke*, ed. Ulrich Bitz und Uwe Schweikert (Hamburg: Hoffmann und Campe, 1974), 2:488. Jahnn specifically criticized the German physicist Pascual Jordan for claiming that the harm caused by radiation from nuclear fallout is no worse than the radiation we are exposed to every day. Jahnn's words may have inspired Arno Schmidt to change a line of his story "Cows in Half Mourning" for a 1964 radio broadcast. In the original version, completed in 1961, farmers in the village tavern are said to have "understood the 'Green Deal' about as well as EINSTEIN did the atom bomb; i.e., on the one hand quite well, on the other, not at all!" (Arno Schmidt, "Cows in Half Mourning," in *The Collected Stories of Arno Schmidt*, 3:143). In the radio broadcast, Einstein's name was replaced with that of Pascual Jordan's.

37. Wolfgang Kraushaar, *Die Protest-Chronik 1949–1959: Eine Illustrierte Geschichte von Bewegung, Widerstand und Utopie* (Hamburger: Rogner & Bernard, 1996), 3:1849ff.

38. In either case, military leaders had no choice but to incorporate nuclear weapons into the war games if they wanted to keep their jobs. See Klaus Naumann, *Generale*

in der Demokratie: Generationengeschichtliche Studien zur Bundeswehrelite (Hamburg: Hamburger Edition, 2007), 203–204.

39. Neidhardt von Gneisenau, "Plan zur Vorbereitung eines Volksaufstands," in *Guerrilleros, Partisanen: Theorie und Praxis*, ed. Joachim Schickel (Munich: C. Hanser, 1970), 60; and Reemtsma, "Graungestalt und Nachtviole," 130–43.

40. See Bernd Greiner, *Kuba-Krise: 13 Tage im Oktober* (Nördlingen: F. Greno, 1988). The portrayal of those meetings in Ronald Donaldson's *Thirteen Days* (2000)—war-hungry military men pitted against level-headed politicians, the Kennedy brothers in particular—is not born out by the tapes.

41. Quoted in Alperovitz, *The Decision to Use the Atomic Bomb*, 251.

42. Quoted in ibid.

43. Quoted in ibid., 240.

44. Quoted in ibid., 241.

45. Quoted in ibid., 250.

46. Quoted in ibid., 251.

47. Quoted in ibid., 250.

48. Quoted in ibid. See also Robert Jay Lifton and Greg Mitchell, *Hiroshima in America: Fifty Years of Denial* (New York: Putnam's Sons, 1995), 138ff.

49. Quoted in ibid., 249.

50. Quoted in ibid., 260–61.

51. Quoted in ibid., 3. See also in chapter 3, "Curtailing Violence and Preserving Trust."

52. Quoted in Lifton and Mitchell, *Hiroshima in America*, 370.

53. I say "may" because the question raises intricacies that go beyond the scope of this book.

54. Quoted in Alperovitz, *The Decision to Use the Atomic Bomb*, 514.

55. Until the Soviet Union's post-1945 satellite states broke apart, voluntarism would remain an essential characteristic of a political system that had come to conquer under the aegis of determinism. See Theo Pirker and others, *Der Plan als Befehl und Fiktion: Wirtschaftsführung in der DDR: Gespräche und Analysen* (Opladen: Westdeutscher Verlag, 1995).

56. See Orlando Figes, *A People's Tragedy: The Russian Revolution, 1891–1924* (London: J. Cape, 1996), 500.

57. Ibid., 491.

58. Ibid.

59. See ibid., 516; and Jörg Baberowski, *Der Rote Terror: Die Geschichte des Stalinismus* (Munich: Deutsche Verlags-Anstalt, 2003), 32.

60. Quoted in Figes, *A People's Tragedy*, 499.

61. Ibid., 502.

62. Zygmunt Bauman, *Modernity and Ambivalence* (Cambridge: Polity Press, 1993), 1–17.

63. Jörg Baberowski, "Moderne Zeiten? Einführende Bemerkungen," in *Moderne Zeiten? Krieg, Revolution und Gewalt im 20. Jahrhundert*, 9.

64. For the case of Cambodia, see Michael Sontheimer, "Entkolonialisierung: Kambodscha," in *200 Tage und 1 Jahrhundert: Gewalt und Destruktivität im Spiegel des Jahres 1945*, ed. Hamburger Institut für Sozialforschung (Hamburg: Hamburger Edition, 1995), 145–66.

65. Figes, *A People's Tragedy*, 516–17.

66. Ibid., 504–505.

67. Ibid., 502–503.

68. See in chapter 2, "Participatory Power, Trust, Legal Regulation."

69. Quoted in Figes, *A People's Tragedy*, 510–11.

70. This was the secret of Augusto Pinochet's dominance in the junta government of Chile. See Ingo Kletten, "Durch Terror zum modernen Staat: Der chilenische Geheimdienst DINA," in *Folter*, 37–72.

71. Suetonius, *Lives of the Caesars*, trans. Catharine Edwards (Oxford: Oxford University Press, 2000), 129–30.

72. See Simon Sebag Montefiore, *Stalin: The Court of the Red Tsar* (New York: Knopf, 2004), 171.

73. Ibid., 245.

74. See ibid., 652.

75. Quoted in Anne Applebaum, *Gulag: A History* (New York: Doubleday, 2003), 8.

76. Ibid., 6.

77. Baberowski, *Der rote Terror,* 37–38.

78. Applebaum, *Gulag*, 12.

79. See Tomasz Kizny, *Gulag: Life and Death Inside the Soviet Concentration Camps* (Richmond Hill, Ont.: Firefly Books, 2004).

80. Robert Conquest, *The Great Terror: Stalin's Purge of the Thirties* (New York: Macmillan, 1968), 532.

81. See Applebaum, *Gulag*, 578.

82. Ibid., 579–80. The prisoners "left" the Gulag "because they died, because they escaped, because they had short sentences, because they were being released into the Red Army, or because they had been promoted to administrative positions" (ibid.).

83. Ibid.

84. Ibid., 581.

85. Ibid., 582. Applebaum cites these figures "reluctantly" because they are based on NKVD reports and do not count "special exiles" (ibid.).

86. Applebaum mentions Stéphane Courtois et al., *The Black Book of Communism: Crimes, Terror, Repression*, trans. Jonathan Murphy and Mark Kramer (Cambridge: Harvard University Press, 1999), 4.

87. Gorky quoted in ibid., 526. For more on Gorky's admiration of the Gulag system, see Applebaum, *Gulag*, 67ff. and Kizney, *Gulag*, 38.

88. Quoted in ibid., 529.

89. Figes, *A People's Tragedy*, 526.

90. Ibid., 528–29.

91. Quoted in ibid., 536.

92. Ibid.

93. Quoted in ibid., 535.

94. Yuri Orlov, *Dangerous Thoughts: Memoirs of a Russian Life* (New York: W. Morrow, 1991), 13.

95. Ibid., 21–22.

96. Quoted in Baberowski, *Der rote Terror*, 89.

97. For more on the atmosphere in the Politburo, see Paul R. Gregory and Norman Naimark, ed., *The Lost Politburo Transcripts: From Collective Rule to Stalin's Dictatorship* (New Haven: Yale University Press, 2008). See also Baberowski*, Der rote Terror*, 206.

98. See ibid., 49; and Figes, *A People's Tragedy*, photo no. 80.

99. Baberowski, *Der rote Terror*, 52.

100. Georg Simmel, "How Is Society Possible?" trans. Kurt H. Wolff, in *Georg Simmel, 1858–1918: A Collection of Essays, with Translations and a Bibliography*, ed. Kurt H. Wolff (Columbus: Ohio State University Press, 1959), 354.

101. Ibid., 16.

102. The true motivations behind the command economy can still be debated—was it about Marxist principle or an effort to shut out powerful economic groups that could exert political influence? From a certain perspective, of course, the one boils down to the other.

103. Figes, *A People's Tragedy*, 615.

104. See ibid., photo. no. 100; and Oleg V. Khlevniuk, *Master of the House: Stalin and His Inner Circle*, trans. Nora Seligman Favorov (New Haven: Yale University Press, 2009), 41–42.

105. See in chapter 2, "Dynamics of Demonopolization."

106. In gangs and families, mere indifference is a form of hate.

107. Baberowski, *Der rote Terror*, 253–54.

108. Alexander Demandt, *Das Privatleben der römischen Kaiser* (Munich: C. H. Beck, 1996), 227–34.

109. See Malte Rolf, *Das sowjetische Massenfest* (Hamburg: Hamburger Edition, 2006).

110. Baberowski, *Der rote Terror*, 86.

111. Ibid., 116–18.

112. I will have more to say about this sort of mentality later in this chapter, under the section "The Logic of Terror."

113. Quoted in Montefiore, *Stalin*, 191.

114. Ibid., 249.

115. Sometimes, denunciation was used to tackle the very problems it created. After delegates at the Eighteenth Congress of the CPSU (B) described the effects of false denunciations on the departments, people began denouncing informers for spreading bogus information. See Andrei Zhdanov, *Amendments to the Rules of the CPSU (B.): Report to the Eighteenth Congress of the CPSU (B) March 18, 1939* (Moscow: Foreign Languages Pub. House, 1939).

116.   Quoted in Montefiore, *Stalin*, 374. The possibility of defeat was indeed very real. If the German army had taken Moscow or if it had managed to win over the regions and ethnic groups that suffered most under the Bolsheviks (instead of proving more bloody than Stalin) or if Hitler had armed the pro-German soldiers under the command of General Andrey Vlasov after he decided to collaborate with the Nazis (instead of letting them starve by the thousands), Germany could have gone on to win the war. For more on German war crimes in the East, see Hamburger Institut für Sozialforschung, ed., *Verbrechen der Wehrmacht*, 187–286.

117.   Montefiore, *Stalin*, 376.

118.   Martin E. Malia, *The Soviet Tragedy: A History of Socialism in Russian, 1917–1991* (New York: The Free Press, 1994), 111.

119.   Ibid., 289.

120.   Bernd Greiner, "200 Tage … ," in *200 Tage und 1 Jahrhundert*, 37ff.

121.   Malia, *The Soviet Tragedy*, 487.

122.   See ibid., 369.

123.   Ibid.

124.   See in chapter 2, "The Dynamics of Demonopolization."

125.   See Ernst Jünger, *Der Kampf um das Reich* (Essen: W. Kamp, 1931).

126.   For more, see Götz Aly, *Hitler's Beneficiaries: Plunder, Racial War, and the Nazi Welfare State*, trans. Jefferson Chase (New York: Metropolitan, 2007).

127.   Michael Wildt, "Die Politische Ordnung der Volksgemeinschaft," 58.

128.   Victor Klemperer, *I Will Bear Witness: A Diary of the Nazi Years, 1933–1941*, trans. Martin Chalmers (New York: Random House, 1998), 74.

129.   For more on this episode, see Ian Kershaw, *Hitler, 1889–1936: Hubris* (New York: W. W. Norton, 1999), 508–16.

130.   It is unclear whether Blomberg acted on Hindenburg's behalf or of his own accord.

131.   The desire to maintain as close a relationship as possible with the armed forces no doubt influenced the decision. Hitler regarded Stalin's attacks against his own military leadership as mad. See Ian Kershaw, "Totalitarianism Revisited: Nazism and Stalinism in Comparative Perspective," *Tel Aviver Jahrbuch für deutsche Geschichte* 23 (1994): 23–40. Incidentally, Hitler spoke of war with the Soviet Union in his very first speech before the officer corps.

132.   See Kershaw, *Hitler, 1889–1936*, 515.

133.   Ibid., 517.

134.   Quoted in ibid., 519. In his 1934 essay "Der Führer schützt das Recht" (The Führer Protects the Law) Carl Schmitt raises Hitler's braggadocio to the level of legal philosophy. See "Der Führer schützt das Recht," in *Positionen und Begriffe im Kampf mit Weimar-Genf-Versailles, 1923–1939* (Berlin: Duncker & Humblot, 1994): 227–32.

135.   Kershaw, *Hitler, 1889–1936*, 525.

136.   Ibid.

137.   See in chapter 2, "Monopoly."

138. It is here that laws begins to permeate measure and visa versa. For more on the relationship between law and measure in the Nazi regime, see Wildt, "Die politische Ordnung der Volksgemeinschaft."

139. Ian Kershaw, *Hitler 1935–1945: Nemesis* (New York: W. W. Norton, 2000), 57.

140. Ibid., 227.

141. Ibid., 612.

142. Kershaw, *Hitler 1889–1936*, 463–64.

143. The two standard works of Holocaust literature are Gerald Reitlinger, *The Final Solution: The Attempt to Exterminate the Jews of Europe, 1939–1945* (Northvale, N.J.: J. Aronson, 1987) and Raul Hilberg, *The Destruction of the European Jews* (Chicago: Quadrangle Books, 1961). Notable recent works include Leni Yahil, *The Holocaust: The Fate of European Jewry, 1932–1945*, trans. Ina Friedman and Haya Galai (New York: Oxford University Press, 1990); Philippe Burin, *Hitler and the Jews: The Genesis of the Holocaust*, trans. Patsy Southgate (New York: Edward Arnold, 1994); Peter Longerich, *Politik der Vernichtung: Eine Gesamtdarstellung der nationalsozialistischen Judenverfolgung* (Munich: Piper, 1998) as well as his *The Unwritten Order: Hitler's Role in the Final Solution* (Stroud: Tempus, 2001); Dieter Pohl, *Holocaust: Die Ursachen, das Geschehen, die Folgen* (Freiburg: Herder, 2000); Christopher Browning, *The Origins of the Final Solution*; and Saul Friedländer's two-volume *Nazi Germany and the Jews*.

144. Peter Longerich, *"Davon haben wir nichts gewusst!": Die Deutschen und die Judenverfolgung 1933–1945* (Munich: Siedler, 2006), 313–14.

145. Ibid., 66.

146. Ibid., 130–31.

147. Ibid., 321.

148. Frank Bajohr, *"Arisierung" in Hamburg: Die Verdrängung der jüdischen Unternehmer 1933–1945* (Hamburg: Christians, 1997).

149. Matthias N. Lorenz, *"Auschwitz drängt uns auf einen Fleck": Judendarstellung und Auschwitzdiskurs bei Martin Walser* (Stuttgart: Metzler, 2005).

150. Quoted in Gitta Sereny, *Albert Speer: His Battle with Truth* (New York: Alfred A. Knopf, 1995), 626.

151. Saul Friedländer, *Nazi Germany and the Jews,* Volume 1: *The Years of Persecution, 1933–1939*, 161. The study Friedländer cites is Robert Gellately, *The Gestapo and German Society: Enforcing the Racial Policy 1933–1945* (Oxford: Oxford University Press, 1990).

152. Friedländer, *Nazi Germany and the Jews*, Volume 1: *The Years of Persecution, 1933–1939*, 325.

153. Longerich, "Davon haben wir nichts gewusst!" 296.

154. Victor Klemperer, *I Will Bear Witness: A Diary of the Nazi Years, 1933–1941*, 133.

155. Ibid., 277.

156. Ibid., 289.

157. Ibid., 442.

158. Victor Klemperer, *I Will Bear Witness: A Diary of the Nazi Years, 1942–1945*, trans. Martin Chalmers (New York: Random House, 1998), 25.

159. Ibid., 39.

160. Ibid., 177.

161. Ibid., 181.

162. Ibid., 254.

163. Ibid., 272.

164. Friedländer, *Nazi Germany and the Jews*, Volume 1: *The Years of Persecution, 1933–1939*, 276.

165. Klemperer, *I Will Bear Witness: A Diary of the Nazi Years, 1933–1941*, 130.

166. See Michael Wildt, "Der muß hinaus! Der muß hinaus!" *Mittelweg 36* 10, no. 4 (2001): 21.

167. Ibid., 22.

168. Quoted in ibid., 14.

169. Ibid., 24.

170. Saul Friedländer, *Nazi Germany and the Jews,* Volume 2: *The Years of Extermination, 1939–1945* (New York: HarperCollins, 2007), 54.

171. The SD, or *Sicherheitsdienst*, was eventually reorganized as the *Reichssicherheitshauptamt*. For more, see Wildt, *An Uncompromising Generation*; and Michael Wildt, ed., *Nachrichtendienst, Politische Elite, Mordeinheit: Der Sicherheitsdienst des Reichsführers SS* (Hamburg: Hamburger Edition, 2003).

172. See Dieter Pohl and Andrej Angrick, *Einsatzgruppen C and D in the Invasion of the Soviet Union*, trans. Donald Bloxham and Ian Gronbach (London: Holocaust Educational Trust, 2000).

173. See Wildt, *An Uncompromising Generation*, 441 and 443.

174. Ibid., 858.

175. See Dietrich Dörner, *Die Logik des Misslingens: Strategisches Denken in komplexen Situationen* (Hamburg: Rowohlt, 1989), 22–31.

176. See in chapter 3, "Permitted, Prohibited, Mandated."

177. For more, see Hassemer and Reemtsma, *Verbrechensopfer*, 131ff.

178. Quoted in Jan Philipp Reemtsma, "Das Heer schätzt den Menschen als solchen: Ein neues Jahrhundert der Folter," in *Folter*, 195.

179. See Imre Kertész, *Fatelessness: A Novel*, trans. Tim Wilkinson (New York: Vintage International, 2004). See also Jan Philipp Reemtsma, "Überleben als erzwungenes Einverständnis: Gedanken bei der Lektüre von Imre Kertész' *Roman eines Schicksallosen*," in *Trauma*, ed. Wolfram Mauser and Carl Pietzcker (Würzburg: Königshausen & Neumann, 2000), 55–78.

180. See John Keegan, *A History of Warfare*, 79ff.

181. See also in chapter 1, "Trust and Seriousness."

182. See Montefiore, *Stalin*, 357.

183. Quoted in ibid., 229–30.

184. Quoted in ibid., 231.

185.   For more on Stockholm syndrome, see Hassemer and Reemtsma, *Verbrechensopfer*, 123–24; and Reemtsma, *In the Cellar*, 172.

186.   Klemperer, *I Will Bear Witness: A Diary of the Nazi Years, 1942–1945*, 144–45.

187.   Arno Schmidt, *Evening Edged in Gold*, trans. John E. Woods (New York: Harcourt Brace Jovanovich, 1980), 165.

188.   Klemperer, *I Will Bear Witness: A Diary of the Nazi Years, 1942–1945*, 176.

189.   See part 1, book 4 of Thucydides, *The Peloponnesian War*, trans. Martin Hammond (Oxford: Oxford University Press, 2009). Karl-Wilhelm Welwei believes the story is just a rumor. See Karl-Wilhelm Welwei, *Sparta: Aufstieg und Niedergang einer antiken Grossmacht* (Stuttgart: Klett-Cotta, 2004), 225–26.

190.   See Jan Philipp Reemtsma, "State Terror," in *Maltreatment and Torture*, ed. Manfred Oehmichen (Lübeck: Schmidt-Romhild, 1998), 53–67. In 1952 at least ten million people (1.75 percent of the population) were imprisoned. For more on the Chinese penal system, see Jean-Luc Domenach, *Chine, l'archipel oublié* (Paris: Fayard, 1992).

191.   See Jörg Baberowski, "Diktaturen der Eindeutigkeit: Ambivalenz und Gewalt im Zarenreich und in der frühen Sowjetunion," in *Moderne Zeiten? Krieg, Revolution und Gewalt im 20. Jahrhundert*, 37–59.

192.   Ibid., 52.

193.   See Baberowski, *Der rote Terror*, 198.

194.   Ibid., 199.

195.   See Primo Levi, *Survival in Auschwitz: The Nazi Assault on Humanity*, trans. Stuart Woolf (New York: Touchstone, 1996), 103.

196.   See Reemtsma, "Paare—Passionen: Das Ehepaar Macbeth," 130–50.

197.   See ibid., 144.

198.   Hannah Arendt, *The Origins of Totalitarianism* (New York: Harcourt, Brace, Jovanovich, 1973), 5.

199.   Ibid., 7.

200.   Léon Poliakov, *The History of Anti-Semitism* (Philadelphia: University of Pennsylvania Press, 2003), 1:41–72.

201.   Ibid., 2:147ff.

202.   Quoted in Jan Philipp Reemtsma, "Die Falle des Antirassismus," in *u.a. Falun*, 303.

203.   See Klemperer, *I Will Bear Witness: A Diary of the Nazi Years, 1933–1941*, 13; and Benzion Netanyahu, *The Origins of the Inquisition in Fifteenth Century Spain* (New York: Random House, 1995), 975. See also Cecil Roth, "Marranos and Racial Antisemitism: A Study in Parallels," *Jewish Social Studies* 2. no. 3 (1940): 239–48.

204.   See Poliakov, *The History of Anti-Semitism*, volume 2; Henry Charles Lea, *The History of the Inquisition of Spain* (New York: The Macmillan Company, 1906–1907), volumes 1 and 2; and Robert Lemm, *De Spaanse inquisitie: tussen geschiedenis en mythe* (Kampen: Kok Agora, 1993).

205.   At least one major massacre, in 1066, took place in Moor-controlled Granada.

206. Léon Poliakov, *The History of Anti-Semitism*, 2:226.

207. See Jean-Paul Sartre, *Anti-Semite and Jew*, trans. George J. Becker (New York: Grove Press, 1962), 10.

208. Johann David Michaelis, "Review of part 1 of the *Theatralische Bibliothek*," in Gotthold Ephraim Lessing, *Werke und Briefe in zwölf Bänden*, ed. Wilfried Barner et al. (Frankfurt am Main: Deutscher Klassiker Verlag, 1985–2003), 1:1251–52.

209. Quoted in Boehlich, *Der Berliner Antisemitismusstreit*, 92.

210. Quoted in ibid., 14.

211. Quoted in ibid., 16.

212. Quoted in ibid., 10.

213. Ibid., 21.

214. Ibid., 39.

215. Ibid, 47.

216. Quoted in Poliakov, *The History of Antisemitism*, 3:89.

217. Unlike what critics often claim, Sartre never says that the word *Jew* is a mere moniker applied by antisemites, or that being Jewish is nothing but a function of discrimination and persecution.

218. Klemperer, *I Will Bear Witness: A Diary of the Nazi Years, 1942–1945*, 355.

219. Friedrich A. Hayek, *The Road to Serfdom: Text and Documents* (New York: Routledge, 2008), 143

220. Ibid.

221. Ibid., 161–63.

222. Ibid., 166.

223. Ibid., 169.

224. Of course, in the 1960s some Germans tried to relativize Nazi incompetence retroactively with the argument that Hitler "at least" got the unemployed off the streets and that his invasion of France was a brilliant military success.

225. The provisions for ethnic Germans were adequate only compared with those of World War I. For more on this subject, see Aly, *Hitler's Beneficiaries*. See also the criticisms of Aly in Friedländer, *Nazi Germany and the Jews,* Volume 2: *The Years of Extermination, 1939–1945*, 656; and Michael Wildt, "Aly's Volksstaat: Hybris and Simplizität einer Wissenschaft," *Mittelweg 36* 14, no. 3 (2005): 69–80.

226. Suetonius, *Lives of the Caesars*, [37] 216–17.

227. Alexander Demandt, *Das Privatleben der römischen Kaiser* (Munich: C. H. Beck, 1996), 228.

228. Of course, we must regard the historical accounts with some skepticism. One thing Tacitus was not was *sine ira et studio*. Moreover, many of the anecdotes about Caligula and Nero were circulated by their political opponents. (See, for instance, Aloys Winterling, *Caligula: Eine Biographie* [Munich: Beck, 2003], 175–80.) Ultimately, though, it is secondary for my purposes whether the historical accounts were accurate or whether people were simply willing to believe them: in many cases, the border between the two is blurry.

229. Ibid., 70.

230. Ibid, 100.

231. Klemperer, *I Will Bear Witness: A Diary of the Nazi Years, 1942–1945,* 72.

232. Ibid., 73.

233. Ibid., 59.

234. Ibid., 58–59.

235. Ibid., 59.

236. "Wie kommt denn der Spinat aufs Dach? Die Kuh kann doch nicht fliegen!" ("How did the spinach get on the roof? Cows can't fly!")

237. See Sigmund Freud, *Three Essays on the Theory of Sexuality*, in *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, 7:125–253; and Erich Fromm, *The Anatomy of Human Destructiveness* (New York: Holt, Rinehart and Winston, 1973), 313–61.

238. Friedländer, *Nazi Germany and the Jews*, Volume 1: *The Years of Persecution*, 281.

239. Ibid., 281.

240. Quoted in ibid.

241. Quoted in ibid., 282.

242. Quoted in ibid.

243. Quoted in ibid.

244. See here the pioneering work of Alexander Mitscherlich and Fred Mielke in *Das Diktat der Menschenverachtung, eine Dokumentation* (Heidelberg: L. Schneider, 1947) and *The Death Doctors*, trans. James Cleugh (London: Elek Books, 1962).

245. Had the current view held sway in the nineteenth century, millions upon millions more would have died of smallpox. In 1796 Edward Jenner decided to test a hypothesis by inoculating a small boy with cowpox, a weaker strain of the smallpox virus. When the boy was later given a serum made from smallpox scabs, he did not get sick. This experiment, though immoral, ultimately led to the eradication of the disease.

246. See Ernst Klee, *Auschwitz, die NS-Medizin und ihre Opfer* (Frankfurt am Main: S. Fischer, 1997), 144–50.

247. Ibid., 287–320.

248. Quoted in ibid., 146.

249. See ibid., 41.

250. Astonishingly, one German doctor in the Luftwaffe later expressed regret that no one had volunteered for the fatal experiment. Ibid., 217.

251. Ibid., 37.

252. Quoted in ibid., 35.

253. Ibid., 42–43.

254. Camus' absurd figure of Caligula, who seeks to possess the moon, epitomizes belief in omnipotence. See Albert Camus, *Caligula and Three Other Plays*, trans. Stuart Gilbert (New York: Knopf, 1958).

255. For the core countries of modernity, at least. Russia, as the conflict with Chechnya shows, has proven an exception; so too have the Balkans.

Chapter 5: Violence and Communication

1. Quoted in John Dickie, *Cosa Nostra: A History of the Sicilian Mafia* (New York: Palgrave Macmillan, 2004), 177.

2. Luhmann, *Power*, 149.

3. Arendt, *On Violence*, 56.

4. Dickie, *Cosa Nostra*, 177.

5. Ibid., 176.

6. Trutz von Trotha, "Zur Soziologie der Gewalt," *Kölner Zeitschrift für Soziologie und Sozialpsychologie* 37 (1997): 9.

7. Ibid., 12.

8. Ibid.

9. Ibid.

10. Niklas Luhmann, "Rechtszwang und politische Gewalt," in *Ausdifferenzierung des Rechts: Beiträge zur Rechtssoziologie und Rechtstheorie* (Frankfurt am Main: Suhrkamp, 1999), 170.

11. For Canetti's views on violence, see the chapters "The Survivor" and "Rulers and Paranoiacs" in *Crowds and Power*, trans. Carol Stewart (New York: Farrar, Straus and Giroux, 1988), 227–80 and 411–33, respectively.

12. Trutz von Trotha, "Zur Soziologie der Gewalt," 19–20.

13. Ibid.

14. Birgitta Nedelmann, "Gewaltsoziologie am Scheideweg," 74ff.

15. Georg Simmel, "How Is Society Possible?" 350.

16. Ibid., 353–4.

17. For more on this metaphor, see Reemtsma, *In the Cellar*, 72.

18. It has been claimed by some that sociology's handling of violence began to change in the late 1980s. Nedelmann, for instance, identifies a number of innovators in the field. She puts particular emphasis on Wolfgang Sofksy, who published a treatise on violence and undertook the first comprehensive study of violence in German concentration camps. But while Nedelmann praises him for his pathbreaking approach, she also takes him to task for essentializing violence and criticizes his hard-bitten style. See Wolfgang Sofksy, *Traktat über die Gewalt* (Frankfurt am Main: S. Fischer, 1996); and *Die Ordnung des Terrors: Das Konzentrationslager* (Frankfurt am Main: S.Fischer, 1993). For Nedelmann's comments, see her "Gewaltsoziologie am Scheideweg," 79. Lars Clausen is another sociologist who offers a unique and intriguing approach: he treats violence as a certain kind of work. This yields surprising and illuminating insights for the sociology of work, but it does not produce anything like a sociology of violence. See Lars Clausen, *Produktive Arbeit, destruktive Arbeit: Soziologische Grundlagen* (Berlin: Walter de Gruyter, 1988); and his essay "Übergang zum Untergang."

19. See Niklas Luhmann, *Einführung in die Systemtheorie* (Heidelberg: Carl-Auer-Systeme-Verlag, 2002), 321; and Niklas Luhmann *Social Systems*, trans. John Bednarz, Jr., with Dirk Baecker (Stanford: Stanford University Press, 1995), 103.

20. In *Social Systems* Luhmann writes, "The problem of double contingency is virtually always present whenever a meaning-experiencing psychic system is given. It accompanies all experiencing in an unfocused way up to the point when experience encounters another person or social system to which free choice is attributed. Then it becomes relevant as the problem of behavioral agreement" (105).

21. Popitz, *Phänomene der Macht*, 79.

22. Ibid. But this does not take into account the effect of the instrumental threat (or its absence) on the other forms of power. Data-creating power in particular—the ability to alter nature or the environment in such a way as to reshape another's scope of action—would take on an entirely different aspect if an instrumental threat were involved.

23. Ibid., 48.

24. Ibid., 52.

25. Ibid., 60.

26. I elaborate on these merits in my laudatio for Jürgen Habermas on the occasion of his reception of the Peace Prize of the German Book Trade. See Jan Philipp Reemtsma, "Laudatio," in Jürgen Habermas, *Glauben und Wissen: Friedenspreis des Deutschen Buchhandels 2001* (Suhrkamp: Frankfurt am Main, 2001), 35–57.

27. This does not apply to Habermas's political writings. There he considers topics, such as humanitarian intervention, very much related to violence and its legitimacy.

28. Luhmann, *Power*, 152. I also discuss temporalization in the section in chapter 3 titled "Curtailing Violence and Preserving Trust."

29. As Franziska Augstein writes, "Had Hannah Arendt known the Sassen tapes, she likely would have described the essence of National Socialism differently than she did" ("Taten und Täter," in Hannah Arendt, *Über das Böse: Eine Vorlesung zu Fragen der Ethik*, trans. Ursula Ludz [Munich: Piper, 2006], 185).

30. See Cesarani, *Becoming Eichmann*, 218.

31. Quoted in ibid., 219.

32. See Augstein, "Taten und Täter," 186.

33. Hannah Arendt and Karl Jaspers, *Hannah Arendt / Karl Jaspers Correspondence, 1926–1969*, trans. Robert and Rita Kimber (New York: Harcourt Brace Jovanovich, 1992), 434.

34. Ibid., 411.

35. Ibid.

36. While such sentiments speak against Jaspers's political judgment, they did not corrupt his moral actions. See Hannah Arendt, "Karl Jaspers: A Laudatio," trans. Clara and Richard Winston, in *Men in Dark Times* (New York: Harcourt Brace & Company, 1968), 71–80.

37. See Wolfgang Kraushaar, Jan Philipp Reemtsma, and Hans Magnus Enzensberger, "'Sie hatten nie eine politische Forderung …': Ein Gespräch mit dem Schriftsteller Hans Magnus Enzensberger über die Hintergründe der RAF," in *Die RAF und der linke Terrorismus*, 1392–1411.

38. See Rolf Schroers, *Der Partisan: "Mensch im Widerstand"* (Münster: Votum, 1989).

39. See Thomas M. Scheerer, "Nacht und Nebel in Buenos Aires," in *Folter*, 91–154; and Reemtsma, "State Terror."

40. See Armin Nassehi, *Der soziologische Diskurs der Moderne* (Frankfurt am Main: Suhrkamp, 2006), 13.

41. See, for instance, Peter Waldmann, *Terrorismus: Provokation der Macht* (Munich: Gerling Akademie Verlag, 1998).

42. Luhmann, *Social Systems*, 395.

43. See ibid., 250.

44. See Reinhard Merkel, ed., *Der Kosovo-Krieg und das Völkerrecht* (Frankfurt am Main: Suhrkamp: 2000).

45. See Hassemer and Reemtsma, *Verbrechensopfer*, 104.

46. See Luhmann, *Social Systems*, 137ff.

47. See Nedelmann, "Gewaltsoziologie am Scheideweg," 73.

48. Simmel, "How Is Society Possible?" 355.

49. Ibid., 354.

50. Ibid., 344.

51. Ibid.

52. See in chapter 2, "Fragmentation: The Destruction of the *I*."

53. See Des Forges, *"Leave None to Tell the Story"*; Roméo Dallaire, *Shake Hands with the Devil: The Failure of Humanity in Rwanda* (New York: Carroll & Graf, 2004); and Philip Gourevitch, *We Wish to Inform You that Tomorrow We Will Be Killed with Our Families: Stories from Rwanda* (New York: Farrar, Straus and Giroux, 1998).

54. See William A. Schabas, "The 'Odious Scourge': Evolving Interpretations of the Crime of Genocide," in *War Crimes and Human Rights: Essays on the Death Penalty, Justice and Accountability* (London: Cameron May, 2008), 811.

55. Reinhard Merkel, "Der Nürnberger Prozeß," in *200 Tage und 1 Jahrhundert*, 105–37.

56. See in chapter 3, "Relegitimation (2): The Rhetoric of Eschatological Purge."

57. See in chapter 4, "Demodernization and the Gang."

58. See Winfried Hassemer, *Einführung in die Grundlagen des Strafrechts*, 2nd ed. (Munich: Beck, 1990), 279ff.

59. Niklas Luhmann, *Legitimation durch Verfahren* (Frankfurt am Main: Suhrkamp, 1983), 120–21.

60. If certain thinkers of the latter half of the twentieth century had had their way, murder and manslaughter would have become matters of civil law once again. But these thinkers were never sincere: if they had been the ones making the decisions, they would never have stood by their views.

61. See Jens-Uwe Krause, *Kriminalgeschichte der Antike* (Munich: Beck, 2004), 127.

62. Ibid. See also Sallust, *Catiline's Conspiracy*, in *Catiline's Conspiracy; The Jugurthine War; Histories*, trans. William W. Batstone (Oxford: Oxford University Press, 2010), 10–48.

63. This is the idea behind what German legal scholars call "positive Generalprävention" (positive general deterrence). For more, see Jan Philipp Reemtsma, "Das

Recht des Opfers auf die Bestrafung des Täters—als Problem," in *Die Gewalt spricht nicht: Drei Reden* (Stuttgart: Reclam, 2002), 47–83. Criticism of criminal law has always been fueled by fascination with perpetrators who use violence to make themselves heard. Walter Benjamin's "Critique of Violence" is a brief but disconcerting monument to people like these.

64. See Gerd Hankel, "'Ich habe doch nichts gemacht': Ruandas Abschied von der Kultur der Straflosigkeit," *Mittelweg 36* 13, no. 1 (2004): 28–51.

65. Luhmann, *Legitimation durch Verfahren*, 122.

66. For more on this change in public perception, see Hassemer and Reemtsma, *Verbrechensopfer*, 30–46.

67. See Jan Philipp Reemtsma, "Die Memoiren Überlebender: Eine Literaturgattung des 20. Jahrhunderts," in *Mord am Strand*, 227–53. The survivor memoir has only two related precursors: Dostoyevsky's *The House of the Dead* (1862)—a fictional tale of a condemned murderer incarcerated in a czarist penal camp—and the reports (some fictional, some not) of former slaves in the South.

68. Jean Améry, "At the Mind's Limits," in *At the Mind's Limits*, 1.

69. Ibid., "Torture," in *At the Mind's Limits*, 40.

70. See Primo Levi, "The Intellectual in Auschwitz," in *The Drowned and the Saved*, 127–48.

71. See Binjamin Wilkomirski, *Fragments: Memories of a Wartime Childhood*, trans. Carol Brown Janeway (New York: Schocken Books, 1996); Stefan Mächler, *The Wilkomirski Affair: A Study in Biographical Truth*, trans. John E. Woods (New York: Schocken Books, 2001); Daniel Ganzfried, *Alias Wilkomirski: Die Holocaust-Travestie: Enthüllung und Dokumentation eines literarischen Skandals* (Berlin: Jüdische Verlagsanstalt, 2002); and Irene Diekmann and Julius H. Schoeps (ed.), *Das Wilkomirski-Syndrom: Eingebildete Erinnerungen, oder, Von der Sehnsucht, Opfer zu sein* (Zurich: Pendo, 2002).

72. See Sigmund Freud, "Family Romances," in *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, 9:235–42.

73. See Jean Paul, *Der Komet*, in *Werke* (Munich: Hanser, 1975), 6:563–1036.

74. See Reemtsma, *In the Cellar*.

75. See Jan Philipp Reemtsma, "Was sind eigentlich Opferinteressen?" *Rechtsmedizin* 15, no. 2 (2005): 86–91.

76. This has been noted by Adorno in *Negative Dialectics*. See also in chapter 3, "Curtailing Violence and Preserving Trust."

77. See in chapter 4, "Escalating the Instruments of Violence."

78. For more on hot conflicts in cold wars, see Bernd Greiner, Christian Müller, and Dierk Walter, ed., *Heiße Kriege im Kalten Krieg* (Hamburg: Hamburger Edition, 2006).

79. For more on the Cuban missile crisis, see Greiner, *Kuba-Krise*.

80. See Dan Diner, "Historical Understanding and Counterrationality: The *Judenrat* as Epistemological Vantage," in *Beyond the Conceivable: Studies on Germany, Nazism, and the Holocaust* (Berkeley: University of California Press, 2000), 130–37.

81. Hannah Arendt, "Social Science Techniques and the Study of Concentration Camps," in *Essays in Understanding 1930–1954*, 241.

82. See Susanne Heim and Götz Aly, "Die Ökonomie der 'Endlösung': Menschenvernichtung und wirtschaftliche Neuordnung," in *Sozialpolitik und Judenvernichtung: Gibt es eine politische Ökonomie der Endlösung* (Berlin: Rotbuch Verlag, 1987), 7–90; Aly, *Hitler's Beneficiaries*; Susanne Heim and Götz Aly, *Vordenker der Vernichtung: Auschwitz und die deutschen Pläne für eine neue europäische Ordnung* (Hamburg: Hoffmann and Campe, 1991); and Götz Aly, *"Final Solution": Nazi Population Policy and the Murder of the European Jews*, trans. Belinda Cooper and Allison Brown (London: Oxford University Press, 1999).

83. See in chapter 3, "Relegitimation (3): The Rhetoric of Genocide."

84. Michael Wildt, *Volksgemeinschaft als Selbstermächtigung: Gewalt gegen Juden in der deutschen Provinz 1919 bis 1939* (Hamburg: Hamburger Edition, 2007), 354–56.

85. Ibid., 366.

86. For more, see Reemtsma, "Was heißt die Geschichte der RAF verstehen?"; Jan Philipp Reemtsma, "Sonst nix? Oder: Wer ist Caliban?" in *Warum Hagen Jung-Ortlieg erschlug*, 267–80; and Jan Philipp Reemtsma, "Terroristische Gewalt: Was klärt die Frage nach den Motiven?" in *Bilder des Terrors, Terror der Bilder? Krisenberichterstattung am und nach dem 11. September*, ed., Michael Beuthner, Joachim Buttler, et al. (Cologne: Von Halem, 2003), 330–59.

87. For more on the weapon fetishism of the RAF, see Karin Wieland, "Andreas Baader," in *Die RAF und der linke Terrorismus*, 332–49.

88. See Kraushaar, Reemtsma, and Enzensberger, "'Sie hatten nie eine politische Forderung …'"

89. Fyodor Dostoyevsky, *Devils*, trans. Michael R. Katz (Oxford: Oxford University Press, 1999), 683.

90. See Edward Hallett Carr, *The Romantic Exiles: A Nineteenth-Century Portrait Gallery* (Harmondsworth, U.K.: Penguin, 1949), 343.

91. See Reemtsma, "Was heißt die Geschichte der RAF verstehen?"

92. Quoted in Jürgen Seifert, "Ulrike Meinhof," in *Die RAF und der linke Terrorismus*, 350–71.

93. See Wieland, *Aristipp und einige seiner Zeitgenossen*, 760.

94. Quoted in Gudrun Braunsperger, *Sergey Necaev und Dostoevskijs Dämonen: Die Geburt eines Romans aus dem Geist des Terrorismus* (Frankfurt am Main: Verlag Peter Lang, 2002), 129.

95. Dostoyevsky, *Devils*, 548–49.

96. Ibid., 432.

97. As forcefully described by Victor Hugo in *Les Misérables*, this naivete loses its charm the moment the building of barricades loses its effectiveness.

98. In the "Critique of Violence," Benjamin describes the "great" criminal who, "however repellent his ends may have been, has aroused the secret admiration of the public" (271).

99. Volker Speitel, "'Wir wollten alles und gleichzeitig nichts': Ex-Terrorist Volker Speitel über seine Erfahrungen in der westdeutschen Stadtguerilla," *Der Spiegel*, August 11, 1980, 30–36.

100. Friedrich von Schiller, *Wilhelm Tell*, trans. William F. Mainland (Chicago: University of Chicago Press, 1972). Text references are to the lines of this edition.

101. Ludwig Börne, "Über den Character des Wilhelm Tells in Schillers Drama," in *Gesammelte Schriften* (Hamburg: Hoffmann & Campe, 1862), 4:315–25.

102. Franz Mehring, "Wilhelm Tell," in *Gesammelte Schriften* (Berlin: Dietz, 1960–1967), 10:262–63.

103. Schiller, *Wilhelm Tell*, 75.

104. Ibid., 80.

105. August Wilhelm Iffland advised Schiller to cut the episode with the Duke of Swabia on account of its dramaturgical shortcomings, but Schiller insisted that the exchange was the cornerstone of the play. With regard to the scene's moral message, at least, Schiller was no doubt correct.

106. See Schiller, *Wilhelm Tell*, 75 and 94.

107. Søren Kierkegaard, *Fear and Trembling*, in *Kierkegaard's Writings*, trans. Howard V. Hong and Edna H. Hong (Princeton: Princeton University Press, 1983), 6:112–15.

108. See the quote from Volker Speitel at the end of the previous section.

109. For more on this scenario, see Reemtsma, *Folter im Rechtsstaat?*

110. Unlike many other objections to the legalization of torture exceptions, mine does not take aim at legal casuistry. In law as in moral philosophy, examples serve a purpose even when they seem contrived. Judgment—the act of relating norms to empirical facts—requires training, and frequently it is only in theoretical examples that we can test our ideas. Taken alone, however, such examples do not suffice to justify fundamental changes to the legal system.

111. The first modern leader to call for the legalization of torture was the French general Jacques Massu, who sought to eliminate rules that might impede his controversial methods in Algeria. Thankfully, his efforts were to no avail.

112. Ernst Tugendhat, "Wie sollen wir Moral verstehen?" in *Aufsätze 1992–2000* (Suhrkamp: Frankfurt am Main, 2001), 182. On the development of Tugendhat's moral philosophy, see Jan Philipp Reemstma, "Wie ein Neuerer den Tod gebildet" (laudatio for Ernst Tugendhat on the occasion of his reception of the Meister Eckart Prize, Berlin, Germany, December 5, 2005).

113. Richard Rorty, "Human Rights, Rationality, and Sentimentality," in Richard Rorty, *Truth and Progress* (Cambridge: Cambridge University Press, 1998), 175, n. 7.

114. Max Horkheimer, *Dawn and Decline: Notes 1926–1931 and 1950–1969*, trans. Michael Shaw (New York: Seabury Press, 1978), 18.

115. See Lessing, *Nathan the Wise*, 232. For Kant's general position on hope and morality, see his *Religion within the Boundaries of Mere Reason*, trans. George di Giovanni, in *Religion and Rational Theology*, ed. Allen Wood and George di Giovanni

(Cambridge: Cambridge University Press, 1996), 93–216; and "On the Common Saying: That May Be Correct in Theory, but It Is of No Use in Practice," in *Practical Philosophy*, ed. and trans. Mary J. Gregor (Cambridge: Cambridge University Press, 1996), 273–310. For Jürgen Habermas's take on Kant, see his "The Boundary between Faith and Knowledge: On the Reception and Contemporary Importance of Kant's Philosophy of Religion," in *Between Naturalism and Religion: Philosophical Essays*, trans. Ciaran Cronin (Cambridge: Polity Press, 2008), 209–48.

116. See Hesiod, *Works and Days*, in *Theogony, Works and Days*, trans. Glenn W. Most (Cambridge: Harvard University Press, 2006), 93–95, lines 80–105; and 125–28, lines 498–503, respectively.

117. See Aeschylus, *Prometheus Bound*, trans. James Scully and C. J. Herington, in *The Complete Aeschylus,* Volume 2*: Persians and Other Plays* (Oxford: Oxford University Press, 2009), 327, line 251.

118. The same can be said of the figure of Care, from act 5, whose self-characterization indicates something like clinical depression.

119. Martin Heidegger, *Being and Time*, trans. John Macquarrie and Edward Robinson (Oxford: Basil Blackwell, 1962), 230.

120. See Søren Kierkegaard, *The Concept of Anxiety*, in *Kierkegaard's Writings*, trans. Reidar Thomte (Princeton: Princeton University Press, 1980), volume 8.

121. Jean-Paul Sartre, *Being and Nothingness*, trans. Hazel E. Barnes (London: Methuen & Co., 1958), 29.

122. Luke 18:11–13.

123. The stories of these individuals can be found in Eva Fogelman's book *Conscience and Courage: Rescuers of Jews During the Holocaust* (New York: Anchor Book, 1994). For more on self-assurance and morality, see Jan Philipp Reemtsma, "Theorie der Moral nach Todorov und Luhmann," in *"Wie hätte ich mich verhalten,"* 75–101.

124. Theodor W. Adorno, "Resignation," *Telos* 35, 1978: 165. [Translation slightly modified. —Trans.]

125. Theodor W. Adorno and Max Horkheimer, *Dialectic of Enlightenment: Philosophical Fragments*, trans. Edmund Jephcott (Stanford: Stanford University Press, 2002), 54.

126. See Reemtsma, "Nathan schweigt," in *Warum Hagen Jung-Ortlieb erschlug*, 78–94.

127. Adorno and Horkheimer, *Dialectic of Enlightenment*, 54.

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