Chapter 5, "Political Evil: Killing, Sacrifice, and the Image of God". In Kahn, Paul. (2006). *Out of Eden: Adam and Eve and the Problem of Evil*. Princeton, NJ: Princeton University Press.

Political Evil: Killing, Sacrifice, and the Image of God

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Within modern, liberal states one generally finds belief in a narrative of political progress. That narrative has three central elements. First, there has been a transition from personal to democratic forms of power – from kingdoms to republics. The people are the sole source of legitimate power today. Expression of that power takes the form of law. Second, there has been progress in the character and operation of the law. This is a story of movement from a world of torture to one of procedure, from the spectacle of the scaffold to the science of penology. Modern law's ambition extends to the care of every citizen, even to those who violate its proscriptions. The democratic, people's republic is, in this way, simultaneously the republic of law. Third, there has been a humanization of war. This is, in part, a claim for battlefield discrimination such that the intent directly to injure is limited to combatants.[1] Perhaps more importantly, war itself is increasingly displaced by law – international law and transnational institutions of adjudication are to resolve disputes among nations. War, we tell ourselves, is an anachronism in the modern age.

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[1] Even among combatants, the means of warfare are not unlimited. See Hague Convention IV, Annex, sec. II, art. 22 ("The right of belligerents to adopt means of injuring the enemy is not unlimited.").

Each aspect of this narrative of political process appeals, then, to law. Indeed, the rule of law is the dominant theme of the entire narrative. There is no space, within or without the modern state, that is not to be regulated by law. This includes both democratic political processes and the deployment of force; internal self-regulation and relationships to others. In the modern, liberal state, politics and law are to be coterminous normatively and factually. Wherever there is politics, there must be the rule of law.

The rule of law plays this central role in the narrative of progress because law is imagined as the realization of reason within the space of political life. Thus, the larger framework of the progressive narrative is one that moves from a politics driven by the personal interests of a privileged class to a politics of justice for all. Justice is the normative claim of reason, and law's aim is the realization of justice – on this, both our jurisprudence and popular political ideals agree.[2] This political narrative is modeled on other forms of progressive narratives: nature is tamed, sciences are purged of false belief, and economic production is rationalized. In all of these narratives, the issue is not historical accuracy. Rather, they are ways of imagining the past (and the future) from the perspective of contemporary values. In fact, politics never lacked a conception of justice; science never lacked a conception of truth. Nevertheless, the past is recast as a story leading to the present, just as the future is cast as the space for the realization of contemporary projects – a space for the realization of reason's ends.

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[2] See, e.g., R. Dworkin, *Law's Empire* (1986); J. Rawls, *A Theory of Justice* (1971); O. Fiss, "The Supreme Court 1978 Term – Foreword: The Forms of Justice," 93 Harv. L. Rev. 1 (1979).

The political narrative of progress, then, is yet another version of the story of the triumph of reason. The modern state appears as an endless project of reform: every institution and arrangement is subject to critique and improvement on the basis of reason. The rule of law always includes deliberate mechanisms for the reform of law.[3] An irrational law, let alone an unjust law, is always an appropriate object of critique. Critique is always the predicate for reform. Reform and reason, however, to what end? Just like the myth of nature, the claim of reason represents an imaginative possibility, not a substantive position.[4] Reason is not self-defining. Not so long ago, reason took the form of theology: understanding the mind of God as it shows itself in and through creation. Stripped of the sacred, a humbled reason today is more likely to offer us a politics of well-being.

The theological project had no particular connection to the body's well-being. Indeed, reason's ambition, from within this earlier perspective, was better understood as seeking to understand pain as part of the divine plan.[5] In the contemporary liberal state, however, the edifice of reason is tightly bound to the health and well-being of the body of the citizen. Not the advancement of the interests of a particular group, but the well-being of all. The liberal state does not generally tell its citizens where or how they can realize their own ideas of a good life. But it does assume that all such ideas include bodily well-being – health, freedom from pain or

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[3] See H.L.A. Hart, *The Concept of Law* 92 (1961) (on secondary rules that allow for revision of laws).

[4] See above at ___.

[5] See S. Neiman, *Evil in Modern Thought* (2002) (arguing that modern philosophy can best be understood as driven by the problem of theodicy).

want, and, of course, life itself. These are necessary, although hardly sufficient, conditions of every reasonable idea of the good.

The well-being of the individual, understood quite literally as the health of the body, is assumed to be the unproblematic foundation for public policy. This is related to, but not the same as, the satisfaction of interests that drives the economic order. Economic outcomes are measured against citizen well-being in this more basic sense. Despite its economic success, the United States, for example, is not only deeply criticized for its failure to assure universal access to high-quality health care, but is itself in a kind of unending policy crisis over how to advance toward this goal.[6] Government cannot proclaim its indifference to citizen well-being. It cannot define care of the body as private – not a public concern – even if it is committed to the use of private institutions to achieve that well-being. That doesn't mean that governments are always successful, only that they will be measured by their success or failure to improve the health and well-being of their citizens.

Health care is not different, in this respect, from general economic performance. Both are fundamental public concerns quite apart from the use of private institutions to advance these interests. Morbidity rates stand right next to, if not above, GDP as the ultimate measure of progress. A democratic politics is thought "naturally" to pursue these ends: how could government by and for the people fail to seek the health and well-being of its citizens? We conclude the general narrative of progress, then with a contrast between contemporary biopolitics, the end of which is the minimization of the body's pain and the maximization of its

[6] Health care reform has been at the center of the domestic policy agenda of the most recent Democratic and Republican administrations.

health, and the pre-modern state in which the end of the state seemed often to be the production of pain, whether as punishment or warfare.[7]

Reason turns to the body's well-being in an effort to ground what would otherwise be an abstract discourse of progress. Nevertheless, this grounding can only be partially successful. Neither formal reason nor material well-being tell us anything about our relationship to the particular communities of which we are members. Both fail to set forth a history that is ours or a destiny about which we should care. Progress in the development of reason – including the medical and productive sciences – is a common possession of mankind. In the concern for well-being, all individuals are the same. No one has a stronger claim than anyone else for health or well-being. We see the impulse toward the universal, for example, in utilitarianism, which theorizes the application of reason to well-being. Indeed, the logic of utilitarianism not only transcends particular communities, it moves beyond man himself to a concern for the well-being of other species.[8]

This progressive narrative has not gone unchallenged. The modern era has generated a counternarrative as well. In this account, the state remains deeply invested in the production of pain. This is the narrative that begins not in the hospital, but in the camps; that registers a gap between the reformist ambition of penal science and the practice of incarceration; that notes the deployment of weapons of mass destruction threatening entire populations; that perceives the

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[7] The word "biopolitics" is derived from Foucault's concept of "biopower." He uses it to identify a politics directed at the maintenance of populations. See M. Foucault, *History of Sexuality* vol. 1, at 143 (R. Hurley, trans. 1980).

[8] See P. Singer, *Animal Liberation* (1975).

disappearance of the spectacle of the scaffold but sees in its place the rise of mass armies. This narrative takes as its reference points the trench warfare of the First World War, the mass bombings of the Second World War, the terrorizing tactics of the wars of decolonization, the recurrent outbreaks of civil war, and the proliferating threats from weapons of mass destruction. The liberal state, no less than the nonliberal state, has been intimately involved in these phenomena. The United States, for example, imprisons well over two million men – a portion of its population equivalent to that of South Africa under apartheid.[9] It maintains armed forces of roughly similar size.[10] Until recently, the history of modern Europe was a history of confrontation of mass armies and concentration camps; not to speak of the European involvement in colonial and neocolonial efforts. Leading liberal states have not seen a problem with their own possession of weapons of mass destruction.[11] In this counternarrative, the symbol of political power remains the body in pain, and the measure of power is the capacity to produce pain. Not surprisingly, the contemporary threat of terrorism makes a claim to political power based on its ability to inflict bodily pain.

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[9] See U.S. Department of Justice, Bureau of Justice Statistics Bulletin, July 2003.

[10] As of September 30, 2004, there were 1.5 million active duty military, with another 1.2 million national guard and reservists. See Department of Defense, Selected Manpower Statistics, Fiscal Year 2004.

[11] Despite the formal obligation set forth in the Nuclear Nonproliferation Treaty to move toward a world free of nuclear weapons, no nuclear state has ever expressed a real interest in giving up its weapons – apart from some remnants of the Soviet Union.

The modern nation-state may understand itself as caring for the body, but it is not clear that we have become generally safer as a result of modern political developments. This was self-evident during the Cold War, with its imminent threat of mutual assured destruction. It took only twelve years after the end of the Cold War for the specter of mass destruction to again haunt the political imagination. Political identity in the contemporary world remains a source of deadly danger. This is true not just in those states struggling with civil war, but in Western liberal states as well. We are potential targets because we are Americans – or British or Spanish – and we respond to that perceived threat through our own deployments of force. The United States never disarmed after the Cold War. Today, Europeans debate the need to create a military capability coordinate with the changing character of the EU and the contemporary perceptions of threat.

This counternarrative of pain is a bounded narrative. Well-being points to the universal, but pain particularizes.[12] Pain always seems exceptional. It intrudes into our lives, stopping our ordinary progress and concerns. In the first instance, suffering pain makes us aware of ourselves in a way that excludes others.[13] We feel quite literally that they cannot share our pain. Pain makes us lonely. While well-being leads us out into the world, pain tends to focus attention inwardly. As the intensity of pain increases, the boundaries of our world tend to contract. Pain is not just a metaphor for death, but a part of the very substance of death. Just as my death is my own, so is my pain. Extreme pain is often thought to be worse than death. Moderns argue about

[12] Tolstoy starts *Anna Karenina* with the line: "All happy families are alike but an unhappy family is unhappy after its own fashion." (R. Edmunds, trans. 1978).

[13] See E. Scarry, *The Body in Pain: The Making and Unmaking of the World* 4-5 (1985).

whether suicide is a justified response to pain; premoderns represented Hell as a place of perpetual pain.

An overwhelming pain may close off the world entirely, limiting the self to the boundaries of the body. It is hard to pursue the well-being of others when suffering one's own pain. This is true not just of individuals, but of societies as well. A society suffering economically or physically – from whatever source – will focus on itself to the exclusion of others. While pain may cause the world of the sufferer to shrink into the self, pain does not remove the sufferer from our common, human world. I may not see others through my physical pain, but others surely do see me. When a child, friend, or lover suffers pain, their pain can constitute our world. If love is a disinterested caring for the success and well-being of the beloved, then we cannot help but suffer the pain of the object of our love. We do not simply "carry on" or go about our usual business in the face of such pain.

Pain, accordingly, is a phenomenon of human meaning; it is an especially powerful source of political meanings. It marks the borders of a community of care. At the foundation of the Christian myth is the claim that Christ suffered for all of us; he has taken on our pain through a universal love.[14] To show equal care for all pain is to constitute a universal community – the aspiration of the Church. Unlike Christ, we do not take up the pain of all others. For us, a community of pain is a bounded community, just as love is always for a particular individual or community. The boundaries of pain are the boundaries of love, for I suffer the pain of those I love. Indeed, it is not too much to say that one cares about one's own pain because of a love of

[14] For this reason, however, Christian martyrs are often represented as not suffering pain at all. Their's is a beatific experience.

the self.[15] Indifference to the pain of those that one loves is unimaginable, except as that form of evil which was the subject of my argument in chapter three: the flight from that recognition of death – and pain – that necessarily accompanies love.

A state, like an individual, organizes its history around pain. It is a story of battles fought, of war and threats of war, of disasters – natural and man-made – overcome. When we commemorate loss, we acknowledge that the pain is ours. It tells us who we are: we are the people who have suffered this pain – others have not.[16] When we have lost the memory of that pain, we have lost the connection to that earlier community. Its experiences strike us in the same way as those of any other foreign community: subjects about which we may learn and to which we may extend sympathy, but about which we do not care.

This counternarrative of pain is surely not the only history that is or can be written; it is not even the favored form of professional history today. Nevertheless, even in the modern state, the counternarrative is encountered as a story of past sacrifice. It provides the foundation for a patriotic identification with the community – love of nation. It provides the national myth. Thus, the counternarrative of democratic pain succeeds the narrative of royal succession. That too was a narrative of life and death, focused, however, on the body of the king. The move from the monarch as sovereign to the people as sovereign relocates the suffering body that bears the

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[15] See H. Frankfurt, *The Reasons of Love* 79-80 (2004).

[16] At the center of the Jewish Passover service is a line which always puzzles children, but which they repeat yearly in the formulation of the counternarrative: "It is because of this that the Lord did *for me when I left Egypt*."

state. It does not abandon what I have called the counternarrative of suffering for that of well-being, but locates that suffering in every citizen.

The popular sovereign truly emerges when all members of the polity can experience the pain of politics. This is not a matter of extending the franchise, but of a revolution in the political imagination. All citizens are equal, when all read the same history of suffering as their pain, and all stand equally before the threat of future pain – sacrifice – for the state. Institutionally, this demand for an equality of suffering expresses itself in the extension of military service to groups previously excluded: participation in the military expresses equal dignity within a democratic state. Groups excluded will not see in that exclusion good fortune, but a stigma of shame.

Implicit in the imagination of the democratic state is a deep rejection of that ideal of modern humanitarian law, which insists upon a distinction between combatants and noncombatants. That is an aristocratic ideal in tension with the democracy of pain that founds the modern state in revolutionary action of the popular sovereign. At the heart of this state, accordingly, we find a commitment not to the principle of discrimination on the battlefield, but to the willing sacrifice of all of the national resources – human and material – for the end of preservation of the state. All can be called upon to sacrifice – to suffer – for the maintenance of the state.[17] Nuclear weapons are the perfect expression of democratic pain. A policy of mutual

[17] This is linked to the demand for unconditional surrender: all the resources of the enemy state must be emptied of their political meaning.

assured destruction is the end-point of the counternarrative.[18] Just as the narrative ends in a vision of universal well-being under the regime of reason, the counternarrative ends in a vision of universal self-sacrifice founded on a love of nation.

The attachment of politics to pain, accordingly, is not simply a premodern phenomenon. At the core of modern political belief has been the imagination of violence: the Western idea of democratic citizenship entails the possibility of killing and being killed for the state.[19] Nothing is easier than to describe the horror of the battlefield. Yet, despite our knowledge of that horror, we celebrate a political history of achievement on the battlefield.[20] The West not only experienced the destruction of a generation of young men in the First World War, it pursued the Second World War to the point of genocide and the destruction of European material wealth and civil society. My point is not that all the participants in these wars are to be judged equally accountable, that all violated moral norms or that we cannot make normative distinctions among the politics of the different nations. Rather, it is that the imaginative connection of politics to violence remains vibrant. My own generation has lived its entire life under the threat of mutual assured destruction. The ordinary background condition of our lives has been the constant possibility that we will die for the sake of our political identity: where and how are accidents of

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[18] See P. Kahn, "Nuclear Weapons and the Rule of Law," 31 NYU J. Int'l. L & P. 349 (1999).

[19] On the history of the citizen as soldier, see V. Hanson, *Carnage and Culture: Landmark Battles in the Rise of Western Power* (2001).

[20] For a recent reflection on this phenomenon, see C. Hedges, *War is a Force that Gives us Meaning* (2002).

circumstance. This willingness to hold an entire population hostage to political meanings is now celebrated as victory in the Cold War. More than anything else, the Cold War should have taught us that modern political identity extends to everybody the possibility of pain and the demand for sacrifice. If we missed that lesson then, surely the contemporary war on terror is teaching it again.

The narrative and the counternarrative of the modern state, accordingly, exist in a deep tension. The former links reason to well-being; the latter links love to pain. Pain is the enemy of reason, but not of love. The narrative leads toward the universal; the counternarrative celebrates the particular. The former generates law; the latter, sacrifice. Advancing the interests of the individual in his or her own well-being, the narrative imagines the state as nothing more than a transitional point in the progressive development of a universal legal order in which the well-being of every individual will be of equal concern. The counternarrative focuses on the special character of the particular state to is own citizens. It speaks of friends and enemies, not universal care. This counternarrative commemorates past pain and speaks of future sacrifice. Narrative and counternarrative are literally at war with each other, and often at war in the single individual. One appeals to well-being, the other to pain; one imagines a universal order, the other a bounded community; one appeals to reason, the other to will.

From the perspective of the narrative, the counternarrative represents the pathology of politics. The counternarrative offers a politics of killing and being killed as the history of the state. It takes only a slight shift of perspective – the shift from sacrifice to well-being – to see in this the great evil of the modern era. Thus, contemporary liberal theorists are likely to see the idea of sovereignty not as the foundation of political meaning, but as a threat to a rational

politics. What can be rational about the celebration and willing suffering of pain? The narrative rejects a politics of pain as nothing more than a failure of reason. It links the development of human rights law, which seeks to prevent torture, to the development of humanitarian law, which seeks to minimize the suffering attendant to warfare.[21] In both cases, the ambition is to secure a politics of reasonableness – that is, a politics that no longer expresses itself through the infliction and suffering of pain. It finds here the face of evil in modern politics.[22]

This may be the greatest puzzle in the inquiry into evil: has the Western nation-state itself become so bound up with the production of pain that we must condemn the entire history of that political form as an expression of evil? While we need to distinguish between good and bad among these political regimes – democracies are not the moral equivalent of totalitarianism regimes – these distinctions may themselves occur within a domain of profound evil. A state that simultaneously devotes its resources to health care and weapons of mass destruction can never decide whether it is founded on the narrative or the counternarrative. Somehow the two narratives have become tightly bound to each other. Had the politics of sovereignty produced a

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[21] See, e.g., T. Meron, "The Convergence Between Human Rights and Humanitarian Law," in *Human Rights and Humanitarian Laws: The Quest for Universality* (D. Werner, ed. 1997).

[22] In a new book, Christopher Hedges describes this evil – i.e., a willingness to sacrifice for the state – as a form of "idolatry," just the form of argument that I describe in chapter two above – the worship of nothing at all. See C. Hedges, *Losing Moses on the Freeway: America's Broken Covenant with the Ten Commandments* (2005); see also M. Howard, *Wars and the Liberal Conscience* (1978).

nuclear exchange – a threat not yet gone – could we take any other position than to condemn this politics as the greatest of evils – regardless of whether the bombs were launched in "the defense of freedom?" To make sense of the evil of political violence, we need to return again to *Genesis*. For that myth tell us that even the best we can do in the world of labor will never be enough to escape our fallen condition. Is this not precisely the political condition within which we find ourselves?

Political Labor

To be expelled from the Garden is to fall into the space for human construction – the world of labor. That construction is possible because man now knows the good. He knows it, however, as idea, not as material fact. The material nature upon which he labors is, in itself, devoid of any meaning. Man goes from a paradise in which being and the good are identical, to a space in which being and the good are linked only through the mediation of his own labor. Without labor, the world will produce nothing. It remains "dust." It confronts man as the ontological emptiness that is death. Thus, to dust man will return. After the Fall, all of life occurs in the shadow of death. As soon as his labor stops, man dies and his world falls apart. Whatever meaning the world has, it is the meaning that has been put there by man's labor, not by God's creative act.

A world that we are to understand as meaningful must, therefore, be a fully human world. Not in the sense that man is free to judge the good however he pleases. The point is not that man is the measure of all things. Rather, every event, object, and person we find in our world appears to us as an idea given material form through our own labor. When we understand the world, we understand the ideas that found that world. Absent those ideas that inform our labor, the world

would be literally nothing at all. Labor may appear as punishment for eating of the forbidden tree, but the knowledge that is produced by that mythical act of consumption is a necessary condition of labor. We see this clearly when we come across an artifact of another culture, of which we cannot make sense. We don't know it as a thing. Rather, we apprehend it only as a question. We say "What is it?" or "What purpose did it serve?" We understand objects in the world when we can read them as representations of ideas.[23] This is not merely a condition of the artifact. Dropped into an unknown place, we ask "Where are we?" We answer that question by setting this space in relation to all the other spaces that we know – those are spaces that have been shaped by human labor. We place ourselves within a geography of cultural and emotional space. Similarly, we ask of a stranger, "Who is he?" And, with that, we invite entry into a world of relations, friends, and known others. A person with no such connections is not just a stranger. Rather, he represents the pathology of a person who has "forgotten" his identity; he is no one at all.

Ideas may seem the most ephemeral of things, but given material form, our ideas far outlast us. A person may long for immortality, but his body is a rapidly wasting asset. When he gives material shape to his ideas, however, he puts himself into the world in a way that endures. We find the pot shard in the streets of Athens. We know that it was the product of a particular subject, who held it in his hands and gave it shape. He is forgotten, but the artifact that is the product of his ideas endures. What is true of a pot shard is all the more true of our great works of art, from cathedrals to books to symphonies. We impress our ideas upon the world, and they

[23] Compare R. Barthes, "The Death of Author," in *Image, Music, Text* (S. Heath, trans. & ed. 1977).

endure. Labor makes a world that is our own. The ancients understood this well. When they attacked an enemy, they aimed to destroy this material instantiation of the will. They razed the city, killed the men, and sold the women and children into slavery. This is what it means to destroy a world: to leave no artifact or person that can be read as an expression of the idea of that world.

This fully human world does not maintain itself; there is no day of rest. Man spends his entire life laboring to shape and sustain a meaningful world. Because the material of the world does not take form easily, labor entails violence. This is equally true in politics: it requires a good deal of labor to shape a resistant population into the representation of an idea. Political violence is never the molding of the merely natural into the human world of order, for there is no "natural" in the domain of politics. The violence of politics cannot be understood as if it were a lack or an absence of something else, a mere negation without a meaning of its own. Violence is not a forgetting of ourselves. Rather, to create our polity, we may have to destroy someone else's. To sustain one set of political meanings, we have to defeat alternative possibilities. The nation's history is a story of suffering for the sake of political ideas. Any particular narrative is only as secure as the victory it records.

This is the lesson that Thucydides conveys in his description of the Athenian expedition against the Melians. Not only is ours a fully human world, but it is already a fully occupied world. From the Athenian perspective, there were only two possibilities for the Melians: either they were part of the world of Sparta or that of Athens. If they chose Sparta, then the Athenians were prepared to make them into nothing at all. Athenian power existed in its opposition to

Spartan power.[24] Of course, had the Melians had sufficient power, they could have constructed their own world as neither that of Sparta nor that of Athens. To do so, they would have had to fight both Athens and Sparta. What they could not do was to express that idea of themselves without the power to make it real. Ideas become real through the application of force – labor – to build and sustain a world. The destruction of the Melians was all about an idea: the Athenian idea that if you are not part of our world then you will not be at all. There is no empty space, no unclaimed peoples, no *terre nulla,* as the expression went in classic international law. This ancient conflict was, in this respect, not very different from the modern conflict over spheres of influence in the Cold War.[25] Today, we see the test of an American political idea in Iraq. We cannot know in advance whether the Untied States and its allies have the power to give sustained material reality to that idea. It may very well be that Americans are not willing to suffer or cause much pain for this idea in this place at this time.

The ideology of nineteenth century colonization teaches us something here as well. The Europeans often understood their colonial populations as not yet fully civilized. They were like children, requiring further formation fully to realize the truth of their own being.[26] If they had

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[24] See Thucydides, *History of the Peloponnesian War*, Book V, ch. 17.

[25] Or, for that matter President Bush's description of the obligations of other nations in the war on terror: "You're either with us or against us in the fight against terror." See S. Tay, "Perspectives on Terrorism From Asia, the United States and the Middle East," 28 Fletcher Forum of World Affairs 113, 117 (2004) (quoting Bush from Nov. 6, 2001).

[26] See R. Jackson, *Quasi States: Sovereignty, International Relations and the Third World* (1990).

been seen as a fully formed other, then the imperial attitude would have been that of Athens toward Sparta: the destruction of the meaning of that otherness. In this sense, recognition of the other may be more dangerous than the paternalism of quasi-recognition. My point is not to justify European colonialism but to see the connection between destruction and construction, between violence and pedagogy. In politics, they are inseparable.[27] At stake is the construction of a human world – our world, not someone else's. Colonization always had this double track of military violence and civic construction. When a state gave up the latter, it became merely another form of imperial occupation.[28]

The extension of one's own world inevitably appears as a good thing. Symbolic orders are complete: they make sense of an entire world. The market wants to go global, just as information "wants to be free." For most nineteenth-century Europeans, it was not conceivable that the truth of Christianity should not be relevant everywhere: at stake was "civilization." Today, we are more likely to speak of multiculturalism and respect for the other, but this is hardly a concession to the boundaries of symbolic forms. Contemporary discourses of universality speak of markets, rights, and democracies. Our respect for the other is an affirmation of our own value of tolerance. Today, a pressing question for many is whether we –

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[27] Indeed, much of post-modern political theory has explored the violence implicit in the constructive project of modern politics. See, e.g., M. Foucault, *Discipline and Punish: The Birth of the Prison* (A. Sheridan, trans. 1977).

[28] The classic example is the Belgian rule in the Congo, but consider also the early Spanish occupation of South and Central America, and the Japanese occupation of China.

the United States and other modern, Western states – are willing to use force to extend this world.

In its ordinary appearance, then, political violence is a form of labor. It is an expression of the will by which a political order extends itself by forming the beliefs of those subject to the authority of the state. When we approach political life in this way, we view violence as we do other forms of labor: as a means to an end. We speak of causalities as costs to be measured against gains. We hope to keep the casualty count low as we set about extending our own political authority. We hope to exercise coercion in more efficient ways. We think that the point of the violence is not to eliminate its immediate targets but to "break the will" – change the beliefs – of those who survive. This is true whether we apply violence internally as criminal punishment or externally as war. The destruction of the Melians had as its point not mere destruction, but impressing Athenian power upon other allies who might have contemplated breaking out of the alliance. The same spectacle of violence can be witnessed today in the American intervention in Iraq. As Clausewitz pronounced, "War is the continuation of politics by other means."[29]

If political violence were only a means to an end, then there would be reason to think that we could pursue a program of reform to minimize its costs. This is always the ideal of labor: to reduce the burden of work. We dream of accomplishing our end of fully investing the world with meaning without exhausting our limited resources. In the domain of political meanings, that dream often takes the form of law, which is to be a "machine that will go of itself." Just as we seek to replace domestic violence with law enforcement and adjudication, we hope we can

[29] C. van Clausewitz, *On War* 605 (M. Howard & P. Paret, eds. & trans. 1976).

replace war with international law and courts. The spread of Western ideas in the era of colonization was as much a matter of proselytizing, pedagogy, and institutional construction as of brute violence. Today, we compare the effectiveness of "soft" power with that of "hard."[30] These are all elements of the narrative of progress. Suffering from political violence, on this view, is not exactly the pathology of politics, but still it is pure cost. Past political history is tainted by this pain. A liberal politics is progressively moving toward a politics of pedagogy in place of painful coercion. The critique of liberal politics is often an effort to show just how coercive and painful politics remains for its intended beneficiaries. In this respect, the critique too remains within the boundaries of the imagination of labor. For no less than the narrative, it believes that labor's end is bodily well-being.

If political violence is a form of labor, it is bad but not evil. We may, of course, do terrible things in the course of political labor. This is just what the Athenians told the Melians; the same thing has been repeated ever since. Politics is a labor of violence and suffering. Individuals will be injured and die, but so do they in every form of labor. Nineteenth-century industrialization probably produced as much injury as nineteenth century politics.[31] Stalin's economic policies were no less brutal than his politics. Application of criminal punishment is not evil, even if we would prefer a world in which it was not necessary. War is no different in this respect: we regret the losses, but we believe the benefits exceed the costs. Of course, from the perspective of the individual victim, suffering is a terrible thing. But suffering in all forms –

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[30] See J. Nye, *Soft Power: The Means to Success in World Politics* (2004).

[31] See J. Witt, *The Accidental Republic: Crippled Workmen, Destitute Widows, and the remaking of American Law* (2004).

disease, poverty, injury, back-breaking labor – is terrible. If the labor of politics produces more suffering than necessary, it should certainly be condemned as misguided and wrong. Under many conditions, we may properly regard it as unjust.

Nevertheless, we cannot take the production of pain as the measure of evil in politics, without losing hold of the special threat of evil. The evil of twentieth-century political violence – and now that of the twenty-first century – is misunderstood if approached merely as the cost of labor. As labor it makes little sense: wars generally extract costs far greater than their possible benefits. Wars can be fought over claims to quite unproductive territory; they are fought over conflicting ideas, beliefs, or historical claims. Viewed from the perspective of the well-being of each individual, all would be better off if disputes were settled by arbitration or if those groups that hold different beliefs accepted a *modus vivendi* practice of political tolerance. If the body's well-being is the end of politics, then war makes no sense and criminal punishment should be replaced by rehabilitation and remediation. Well-meaning individuals are always ready to suggest alternative forms of labor that are not only more humane, but more efficient. But politics is not merely a matter of social engineering, because pain is not simply a cost.

Political Sacrifice

Political violence is more than labor when it occupies a space of unmediated meaning. Violence can be the point at which politics sets itself against the desacralization of the world. This is no longer violence as a means of impressing the will upon the world. It is violence as self-sacrifice, not as labor. There are not more or less efficient ways to engage in sacrifice. There are no finite measures available as we approach the sacred. Sacrifice and labor both work in a medium of pain, but they are not the same. Labor's end is to alleviate pain, to minimize

resistance to production. The end of sacrifice is not to alleviate the pain of labor but to transcend the conditions of labor. This is the fundamental tension that produces the contemporary conflict in the liberal state between the narrative and the counternarrative. For pain appears in the counternarrative as the testimony of self-sacrifice.

Hobbes claimed that in creating the Leviathan man was acting in the image of God – he too becomes a maker of a world. This idea of creation is the project of labor that characterizes man after the Fall. Politics, however, is not just about labor. It is equally about recovery of a prelapsarian experience of the unity of being and meaning. The political name for that experience is sovereignty. Hobbes got the name right, but he never offered an adequate explanation of that one power that characterizes the sovereign: the power to claim the life of the citizen. Hobbes could not do so because he thought the whole point of the labor of politics was to put off the moment of death, that is to pursue the well-being of the body. If so, for politics to require the citizen's death is a logical contradiction. Yet, this is exactly what we find. Hobbes's Leviathan may shift the field of killing from civil to international war – although often not even that shift occurs – but there is no reason to think that an international field of battle offers the Hobbesian individual a life any less nasty, brutish or short than that from which he fled in the state of nature. If sovereignty is a power over life and death, then, we cannot understand politics simply as the labor of fallen man.

For the individual, the difference between the Hobbesian state of nature and the organized state is not the difference between violence and peace, or death and life, but between the fight for survival and sacrifice for the polity. The struggle for survival is always a form of labor. Laboring, man hopes to come to feel at home in the world that he creates. This is the end

of a politics of well-being.[32] No matter how successful an individual is in this task of construction, man can never fully overcome the separation between himself as subject and the world as object. The permanence of that separation is realized in the thought of his own death: when he dies, the world goes on without him.[33]

A politics of well-being can put off death, but it cannot overcome the very thing it would avoid. Contrary to Hobbes's claim, we do not find ourselves to be an image of God as laborers, for labor ties us to death. Adam cannot save himself no matter how well he performs the task of labor. He can do no more than pass on this task to the next generation. The sacred is literally not of this world. Yet, the sacred is where man knows he belongs. For he knows that he is an image of God. Only through sacrifice does the separation of subject from object collapse: only in this act are being and meaning one and the same. The sacrificed object is not re-formed, but sanctified. It becomes a point for the showing forth of the sacred. Ultimately, the object of sacrifice must be man himself, for it is man who must realize an ultimate meaning.

Just as the Genesis myth grounds an idea of political labor, it provides a source for the Western idea of sovereignty that can support a practice of political sacrifice. According to the myth, man's role in the Garden includes the naming of creation: "whatever the man called every living creature, that was its name." God speaks the world into existence. Naming creation, man gives words to the text that is creation. Naming creation is a kind of reading of the text authored

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[32] This is why contemporary game theorists are so interested in Hobbes: politics for them is an answer to a problem of labor. See, e.g., D. Gauthier, *The Logic of Leviathan* (1969); G. Kavka, *Hobbesian Moral and Political Theory* (1986).

[33] See above at ___ on the "remainder" of the self outside of love.

by God. This process of naming/reading constitutes a kind of reverse image of God's speaking. To name is to possess in a representational form. The prelapsarian world of Adam, accordingly, has an inner and an outer form. Outwardly, Adam occupies a place in a created world – the Garden. Inwardly, he doesn't occupy a single place, but possesses the whole of that world. Naming creation, Adam is more than a part: he is the point at which the whole is present to itself. The implicit dangers of language, which is always an image of the divine power of creation, are fully realized in the story of the Tower of Babel: a second story of the Fall.

Man is an image of God because he symbolically reproduces all of creation. Before the Fall, the truth of a proposition is not separate from the act of speech. God's speech creates its own truth. So does man's. We cannot ask whether a name is true or false. Naming, like creation itself, is a performative utterance. If creation is good in itself, then the symbolic doubling of creation has that same quality. After the Fall, there is no longer a necessary correspondence between being and representation. Just as man must struggle to produce the object of his labor, he must struggle to understand the object of his representations. Not only does labor take time, but so too does speech. Just as labor can go wrong, so too can the proposition. A fallen world is one in which error is not only possible, it is expected.

Accordingly, the gap between subject and object appears in both labor and language. The existential loneliness of finite man is rooted in this separation from his world. We experience that separation most intensely in our foreknowledge of our own death. Ironically, death is one of the few certainties among our beliefs. That very knowledge, however, renders all else that we know uncertain. Because we will die, we know that we will never complete the projects of labor or knowledge. We know, moreover, that the objects of our labor are as tenuous as the

propositions we construct. Both may outlast us, but neither escapes the decay that is the material world. Today we know as scientific fact what had been metaphysical fear: history itself will come to an end. Our end is followed by the end of all. It does not matter how far away the end is, for the eschatological imagination spans all time. The modern biopolitics of health represents one form of response to the limitations of labor: we aim to conquer death by endlessly putting it off. But death delayed can never answer the metaphysical demand for death transcended.

Bound to labor and death, we nevertheless have an idea of ourselves as subjects of infinite value, not bound to labor at all. This is the prelapsarian subject who is an image of God. This is the subject who has named all of creation, and thus possesses the whole before any task of labor even begins. This subject knows himself as an endless resource that is always more than any finite project of labor. He has a memory of the self as the point at which being and consciousness are identical. This subject can never find himself fully in the world that is the product of labor. For labor cannot encompass the infinite character of the subject.

Death literally makes no sense to a subject who knows himself as infinitely more than the world he occupies. In myth, it is not immortality that needs to be explained, but death. For death is a contradiction to the soul's self-knowledge. The subject longs for immortality, but not as an endless task of labor and speech. He longs for immortality as recovery of the subject he knows himself already to be. Not the product of labor, but the foundation of a world of meaning that labor and language seek to elaborate. The myth of recovery is always a myth of overcoming

this separation of subject and object. In politics, we express that recovery as sovereignty, which is always imagined as complete in and of itself.[34]

Prior to the age of revolution, it certainly was not true that all men were created equal. Difference was not just material and political. There was a metaphysical gap between sovereign and subject. *Genesis* was a cultural resource of immense symbolic value in providing an understanding of difference, just as it has more recently informed an understanding of equality. In both instances, however, it provided a resource for interpretation, not a particular plan for political or religious action.

For the sovereign to be close to God, he had to take up the position of Adam. Accordingly, the central symbolism of the Western conception of the sovereign invokes the idea of a "new Adam, the successor to Christ."[35] The sovereign recovers what fallen man has lost: an intimate relationship between the finite and the infinite. Thus, the sovereign exists in different dimensions of time and space from ordinary people: the sovereign is the point of showing forth of the infinite. His body is not what it seems; it is fully invested in the symbolic dimension. His true being is as the "mystical corpus of the state." His body is coextensive with the state, not as a

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[34] See Kahn, *Putting Liberalism in its Place* 259-79 (on completeness of sovereignty). Whether this conception of sovereignty is actually realized in the material reality of state-to-state relations is quite a different question. To ask that question is like asking whether the completeness of God is actually realized in the world. On the failure of sovereign realization, see S. Krasner, *Organized Hypocrisy* (1999).

[35] See C. Lefort, "The Permanence of the Theological Political?" in *Democracy and Political Theory* 213, 250 (D. Macey, trans. 1988).

map but as a presence. Just as the sovereign is omnipresent, he is timeless: the sovereign never dies, even as particular manifestations of the sovereign come and go. His knowledge is as complete as his presence – not because he can put his knowledge in propositional form but because being and knowing are one and the same for him. He is omniscient, but not encyclopedic. Just as the body of Christ is the Church, the body of the sovereign is the state.

The sovereign does not labor because he is already metaphysically complete. If he does not die, there can be no shame connected to his body.[36] Rather than turning from the body in shame, there is a ritualistic celebration of the king's body.[37] His private functions become matters of public concern. To be close to that body is to be in the presence of the sacred. Furthermore, he can do no wrong, because there is no gap between idea and act. In him, as in God, word and deed are one and the same. Thus, his word is law; the courts of law speak in his name.[38] He is not subject to the law because he is the law – a position that Christ claimed as well. His judgment decides the fate of the individual and thus literally creates its own truth.

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[36] See chapter four above.

[37] See, e.g., L. Marin, *Portrait of the King* (M. Houle, trans. 1988). Even modern states retain elements of the "king's body." Citizens seek to be in the presence of the President, who operates within a ritualized protected space. Mussolini's body was treated by many as if it "enjoyed semi-divine status," until it lost its sacredness in an execution reminiscent of that of deposed kings. See N. Farrell, *Mussolini: A New Life* 225-30 (2003).

[38] See W. Blackstone, *Commentaries on the Law of England*, Book 3, ch. 17, at 255 (1768). Hitler builds on this ancient idea when the German state proclaims that "the Fuhrer's word is law."

Guilt or innocence, friend or enemy, life or death are expressions of the sovereign voice. For the sovereign, is and ought are one and the same. The sovereign thereby claims recovery of that power originally granted to man: the power to name being. This is the ultimate meaning of a politics of sovereignty: Citizens hold property and even life itself only as an expression of the sovereign voice.

Wherever we achieve an immediate relationship between the idea and its material presence – a relationship unmediated by labor – we are in the presence of the sacred. This is the structure of the miraculous and the magical; it is also the structure of sovereignty. Thus, a king who could create political reality by his word alone could also cure the sick by his touch alone: a common practice right up to the age of revolution.[39] Once Louis XVI is seen as citizen Louis Capet, however, he has neither the power to speak the law nor to heal the sick.

That kings have lost their power to instantiate the sacred does not mean that we live our political lives in a wholly desacralized world. The same immediacy in the relationship between idea and reality is present in the popular sovereign. Thus, the popular sovereign has the capacity to speak a world into being: this, for example, is the ground of the American Constitution. The Constitution speaks in the sovereign voice – We the People – which is our voice. As citizens, we are bound to the constitutional order because we are a part of the body of the popular sovereign. To understand the transtemporal character of that relationship – how it is that we as individuals can be bound by past acts – we cannot dispense with the idea of the mystical corpus of the sovereign, which spans history and space. Theories of individual consent – a form of labor – are

[39] See M. Walzer, "Introduction" in *Regicide and Revolution: Speeches at the Trial of Louis XVI* (1993).

never adequate to this relationship, just as theories of majoritarianism are never adequate to explain the authority of the popular sovereign.[40] The popular sovereign is never just a contemporary majority. The act of the popular sovereign founds the world of the nation-state as the making present of an infinite source of meaning that will be elaborated through that labor which is the nation's history. The nation's sovereignty is never adequately captured by its past or its present, as if it were a finite set of actions or the meeting of certain procedural conditions. Thus, we are still working out the inexhaustible meaning of the American founding.

The word "sovereignty" is irreducibly religious in origin and meaning.[41] Over time, the locus of the sovereign subject changes, but not its transcendent character. The sovereignty of God becomes the sovereignty of kings, which becomes the sovereignty of nations, and ends with the sovereignty of man. The claim of sovereignty expresses a sense of the deathless soul of man now made real in the fallen world. It is the reification of this experience of the infinite quality of the self. We may start with the idea of man as the image of God, but we end with the knowledge that God is the image of man. Absent sovereignty, man is doomed to labor and death. That labor, however, proves too much for man. He must believe and he finds in himself a capacity for faith.

In substantial part, it has been as a metaphysical promise that politics appeals to us. Every member of the body politic is an aspect of the sovereign's body. As part of that mystical corpus, the subject participates in the sacred doubling that is man. He finds himself bound to

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[40] See Kahn, *The Reign of Law* 200-01.

[41] See C. Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty* 36 (G. Schwab, trans. 1985).

labor, but he maintains a faith that he is a part of the deathless and omnipresent sovereign. The royal "we" worked in both directions of the hierarchy of power. It expressed the extended corpus of the sovereign, as well as the political identity of the subject. Still today, the citizen reads his own political order – historically and geographically – as the work of a plural subject. That subject is no longer the king, but the popular sovereign. The citizen remains embedded in this "we," when he reads the national history of sacrifice as his own. The Revolution is "our" struggle for freedom; the Constitution is the product of "We the People"; and the Civil War was the test of "our" commitment to the popular sovereign. The citizen knows where he stands in history because he views that history through the narrative of the popular sovereign. The state's history is our history; its territory is our space; and its future is ours as well.[42] These are the elements of the counternarrative. There is no movement toward the universal, no sense of suffering as a cost, and no idea that the end of the nation is nothing more than individual well-being.

Modern states killed the king, but they certainly did not kill the sovereign. Instead, there has been a democratization of the king's body. The mystical corpus of the state is now the popular sovereign, which maintains just that character of timelessness, omnipresence and omnipotence that characterized the king. While the popular sovereign has no existence apart from the bodies of its members, those members do not constitute the sovereign in the aggregate. The sovereign is not the product of the social contract. Rather, the citizen is the product of the popular sovereign. The sovereign always precedes and overflows the aggregate of individuals.

[42] The challenge of multiculturalism to this "we" is an important aspect of the rise of the post-modern state.

Hobbes had it backward: actual nation-states – as well as their citizens – have found the ground of their historical presence in the counternarrative, not the narrative

The idea of sovereignty is that of an ultimate meaning that is never exhausted in any finite form – i.e., in the products of labor. The ultimate value of sovereignty is incalculable. Only so can it make a total claim on an individual's life. There is no value of the profane against the sacred. Once put at issue, the sacred quality of sovereignty will demand war without compromise, even if that means consumption of the entire polity. Thus, the continued existence of the United States is not one end among many for its citizens. For them, that existence gives meaning to history; it is not a part of a larger historical narrative, but the foundation of that history. We do not measure the defense of sovereignty against citizen well-being. The sovereign has a nonnegotiable claim on all of the resources of the state, including the lives of its citizens. We are not yet done with a politics of manifest destiny, even if we mean to abandon efforts at neocolonialism. The nuclearization of American politics perfectly expresses the ultimate value of that politics: better the destruction of the world than the failure of the United States. Nuclear policy also shows us that killing and being killed are reciprocal political phenomenon. We cannot threaten the enemy, without suffering the threat in return. We are relearning this lesson from the contemporary war on terrorism.

An understanding of politics must draw upon a conception of sovereignty that works outside of the categories of labor and representation. We need, instead, the categories of transubstantiation, of the mystical corpus, and of the sacred. Central to the mystery of the politics of sovereignty is the experience of sacrifice: that which is sacrificed becomes sacred. Sacrifice does not appease an angry god; it creates and maintains that god. Sovereign and

sacrifice are linked as subject and verb. The sovereign exists as long as citizens are willing to sacrifice for the maintenance of the sovereign. Both sacrifice and sovereignty point us beyond labor and thus beyond death. The finite body must be destroyed, if one is to recover that unity of being and meaning, of the infinite in the finite, that was Adam's but was lost in the fall. Lincoln captures this when he speaks of the dead at Gettysburg "consecrating" the land. In the presence of such citizen sacrifice, one is within the domain of the sacred. Sovereignty, we can say, is god's political form.

Sacrifice is an act of transubstantiation by which a "mere" thing loses its finite character and becomes a site for the manifestation of the sacred. Thus, one participates in the sovereign not through consent but through self-sacrifice. Without a willingness to suffer pain and even to give up one's life, there is no participation in the sovereign. There can be a politics of rights, a politics of management of the economic order and of the body's well-being, but there is nothing in this that rises beyond the horizon of the body's own finite character. The aspiration for the infinite does not itself entail a rejection of labor. The politics of sovereignty is not suicidal. Citizens do not literally want to die for the state; although there have been moments of a romantic longing for such sacrifice. But a politics of sovereignty only exists as long as the imaginative possibility of self-sacrifice remains real for citizens. Oliver Wendell Holmes wrote, "No society ever admitted that it could not sacrifice individual welfare to its own existence. If conscripts are necessary for its army, it seizes them, and marches them, with bayonets in their rear to death."[43] A polity that has no power to call on its citizens for sacrifice lacks sovereignty. Indeed, it is hard even to call such an organization a state. Such a polity may understand itself as

[43] O. Holmes, *The Common Law* 43 (1923) [1881].

advancing individual well-being; it may see itself as an adjunct to markets. It is not its role, however, to take citizens beyond their individual interests.

An account of political life that ignores the metaphysics of sovereignty will never confront the actual experience of life and death within the state. It will reduce the political to law, law to reason, and reason to well-being. If it conceives sovereignty at all, it will be as the reified object of a constructive contract. Sovereignty in this sense adds nothing to a politics of rights. The sovereign that moves citizens to acts of sacrifice, however, is not of this world at all. Sovereignty signifies the sacred foundation of the community. The citizen understands that for sake of the sovereign he can be asked to suffer pain, and that under some circumstances the state can make an unanswerable demand upon his or her life – unanswerable because it is beyond the capacity of any proposition to comprehend. Argument ends, but the act remains. So it is with all faith in an ultimate meaning. Today, in the West, only politics can make that claim upon a life. As long as it can do so, we are in the presence of a sovereign power.

The willingness to sacrifice for the creation and maintenance of political meanings always appears inconceivable to those outside of the community. We find it incomprehensible that Palestinians would be willing to blow themselves up for the maintenance of a political identity. But the suicide bomber is not different in kind from the Israeli soldier. Both know that political identity is a matter of life and death. Both sides in this conflict wonder at the capacity of the other to kill and be killed. Both sides try to apply a moral measure to the behavior of the other. In this, they each suffer from the same misunderstanding. Citizens sacrifice themselves and their children not because it is morally correct but because it is politically necessary. This a necessity, however, that can be measured only from within the political world of meaning.

We have the same reaction to the sacrificial politics of others as we do to those who believe in different gods, rituals, and sacred texts. It literally makes no sense to us; it appears "crazy." How, we wonder, can anyone believe that the gods appeared in that object or that place? Why would anyone think that wine can be the blood of Christ or that God would perform miracles for an enslaved people? This shock of difference, however, usually does not cause us to doubt our own beliefs. We think others strange, but that does not unmoor us from our own sacred rituals. The same is true of our own political meanings. We cannot understand how anyone could believe in the sacred character of a king, but this does not lead us to question the way in which the sacred operates in our relationship to an atemporal, ubiquitous popular sovereign. It does not do so because we have little choice in the matter. There is not some other, non-symbolic world in which we can choose to live, once we learn that others live by meanings different from our own. There is not a truth of the matter that we have somehow missed.

None of this means that every time the state demands sacrifice from its citizens it will be forthcoming. We live in multiple symbolic orders: the demands of politics can be displaced by those of morality, and vice versa. Moreover, political meanings are contested and can themselves fail. The Russian effort in the First World War collapsed when the Russian soldier no longer thought the state an appropriate object of sacrifice. The same thing happened in the Soviet Union and Eastern Europe seventy-five years later. Wars end when armies go home. When the symbolic order of sovereignty comes to seem as foreign to its own citizens as that of a distant state, the capacity of the state to maintain itself in and through the bodies of its citizens disappears. The experience of revolution in the West tells us that this collapse of a symbolic order can happen incredibly quickly. The change, however, can be in the opposite direction as

well. The Argentine experience with the invasion of the Malvinas teaches us this lesson, as does the recent mobilization of American power in pursuit of the war on terrorism.

We cannot know in advance which meanings – political, moral, or familial – will dominate in any particular situation. However, even if political sacrifice has been resisted at particular moments or for particular causes, the idea of self-sacrifice has not been resisted in the modern nation-state. Citizens have lived with the knowledge that under some set of possible circumstances, the state could demand sacrifice and there would be no grounds of objection. The unique quality of the political reveals itself in imagining this moment of "exceptionality," which always appears to us as simultaneously familiar and strange.[44] This combination of the most natural and the most unnatural points us in the right direction: sacrifice is ritual, not labor. Americans, in particular, are not yet done with the magic of political life. The Constitution, we say, is the product of an act of popular sovereignty. For the Constitution, individuals will sacrifice themselves and they can be conscripted. For its sake, the entire population is put at risk.

Man's capacity for sacrifice expresses his aspiration to transcend the conditions of labor. Labor is always a burden. It takes time and effort; it is never guaranteed success. We labor only to fail in the end. We are overwhelmed by the recalcitrance of the material which we would shape to embody our ideas; we are defeated by circumstance; we are let down by the weakness of the body and the failure of the will. We labor until we die, and still we are not done for the world always threatens to return to disorder. The same limits attach to knowledge. We seek to

[44] Carl Schmitt was right to focus on the exception as a moment beyond law. But he was wrong to look to the exercise of authority, instead of looking to the sacrificial act of the citizen. See Schmitt, *Political Theology* 5.

learn until we die, and still we are not done for our knowledge is never commensurate with the world. Sacrifice, on the other hand, is perfect, complete, and done in a moment.

To sacrifice is to enact an ultimate meaning not as yet another project but as an irreducible fact. Sacrifice is a ritual of instantiation that literally takes the subject outside of the limits of time and space, and beyond the structure of the proposition. Meaning is present not as a goal or an ambition to be achieved, but as an infinite presence. The body is fully absorbed in and by the symbolic. The Palestinian martyr, we are told, believes that on death he will find himself immediately in the presence of Allah, satisfied in every way. This is the mythic expression of completeness outside of the domain of labor. We can reject the literalism of the myth, but we cannot deny the experience of an infinite meaning in the extraordinary act.

Sacrifice, accordingly, is that form of meaning which stands in opposition to labor. Labor always deploys the process of craft. Every craft takes up discrete projects; each project follows a plan. Every plan has a beginning, a middle, and an end. This is no less true of the labor of politics. Labor is not, however, the only way in which we relate to a world of symbolic meanings. Meaning enters the world through the magic of transubstantiation. Participation in sacrifice is participation in the very foundation of the world. This is the sacred quality of violence. To fail to see this is to see only a suffering carpenter on the Cross.

This opposition of sacrifice and labor is not one between distinct kinds of acts. The same act can be both. Sacrifice and labor refer to forms of meaning not instances of behavior. Indeed, an individual can see a single act in both dimensions: self-sacrifice for the state is always labor as well. This is just the way we view the virtues and costs of battle: an expression of sacrifice, but also a labor of death. It is, we might say, “a sacred project.” Nor should we expect victims

to celebrate acts of sacrifice. Knowing that my political identity makes me a potential target of a terrorist attack does not lead me to celebrate the possibility of that sacrifice for the state. The terrorist and his victims are, in a sense, out of sync. The terrorist may celebrate the symbolic act of self-sacrifice; the victim finds the threat of death intruding into his or her ordinary world of labor – a world directed at putting off death. Conventional wars between nation-states were efforts to synchronize a politics of sacrifice.

Every symbolic order, I suspect has a rhythm that moves between transubstantiation and labor. Freud spoke of an "oceanic feeling;" others speak of the flash of creative genius or the presence of grace. I would speak of the experience of love. Like politics, love is sustained through labor: for example, the labor of creating and maintaining the family. But also like politics, the labor of love is founded on an experience of transubstantiation. That is an experience of realizing wholly and completely an ultimate meaning that does not exist in space and time. This is love as infinite – not fulfilled in time, but timeless. At these moments, we know immediately and completely the whole. This is love as a force that destroys the finite boundaries of the body as the subject expands through the beloved to a unity with all that is meaningful in the world.[45] We cannot wholly separate these moments of transubstantiation and labor any more than we can separate the morally free act from the causally determined. Rather, these are different ways of understanding experience. No meaningful act is wholly one or the other, although the way in which we understand ourselves may emphasize one over the other. I can see my life as labor for my family's well-being, but I can see those same acts as infused with a self-sacrificing love that binds me to them – and to the world through them – as an ultimate

[45] See Kahn, *Law and Love* 141.

value. We move back and forth between the divine image of Genesis one and the finite laborer of Genesis two.

We experience ourselves as more than laborers on a symbolic field; we know the world to be fully and completely ours. In biblical terms, the world is ours to name. This is the sacred quality of man and the foundation of human dignity. Politics shares this rhythm, and projects it upon the world. In politics, however, the metaphysics of sacrifice – the complete transparency of the self to an infinite meaning – takes the form of literal violent destruction of the finite self. The violent, sacrificial character of politics is not simply a function of its importance – an entire world can be at stake. Every symbolic form puts an entire world at stake. Few are willing to die for the sake of art or even science; even fewer are willing to kill. Galileo recanted and one would hope that most great scientists and artists would have done the same. Yet, Western religion was, and Western politics remains, different in this respect. Christianity is founded on a cult of martyrdom; citizens who recant too early are considered political traitors – itself a capital offense. Self-sacrifice is built into the structure of these beliefs. It is not correct to say that religion and politics are "more important" than science or art. Nor can we say that the former are capable of constituting individual identity in a way that the latter are not. Every symbolic form constitutes identity from a particular point of view. We cannot say which among these multiple worlds will be particularly compelling to an individual subject.

Every symbolic form is capable of a comprehensive reach: we can see science aesthetically; we can understand all that we do from the perspective of religious faith. The politics of sovereignty is no different in this respect. It can attach at any point; it has the fluidity of the sacred – any object can become an icon, any point a site of pilgrimage. The sovereign

shares the ubiquity of Mary, who has been sighted in trees, pastures and office buildings. So too with the dizzying appearance of a politics of ultimate meaning, which can make of the death of one man a national cause that can bring about the sacrifice of millions, or find in the "affront to national honor" a cause for war. Viewed from the perspective of labor, none of this makes any sense. Except that without the sacred, labor itself is without a ground adequate to overcome man's sense of himself as fallen.

Carl Schmitt makes an important point here about politics.[46] We cannot say in the abstract what the content of political belief will be. Politics can attach to any cultural production or set of distinctions, including such "natural" categories as territory, race or ethnicity. Political understandings, for example, can attach to science and art, even if we say that considered in themselves they are not political. They can also attach to moral ideals: justice or equality, for example. Surely, an element of a European political consciousness – and still part of Western self-understanding – has been that ours is a "civilized" world, by which we refer in part to science and art and in part to moral and religious norms. The Western way of war goes so far as to protect great works of art.[47] According to Schmitt, politics adds a dimension of intensity to other beliefs. It places those beliefs – from whatever source – at the center of a world of ultimate meanings to be defended through the medium of violence and sacrifice.

The willingness to kill and be killed distinguishes the political as a distinct symbolic domain. The objects that call forth the reciprocal violence of sacrifice are as arbitrary as the

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[46] C. Schmitt, *The Concept of the Political* 37-38 (G. Schwab, trans. 1996).

[47] 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict art. 1(a), 249 U.N.T.S. 240-88, entry into force August 7, 1956.

objects in which the premoderns located the sacred. This does not mean we should be indifferent to differences among these objects, but only that there is no neutral position from within which to assess their political meanings. Neutrality is no more possible here than it is with respect to sacred objects or practices. Political beliefs speak to a particular community; they do not offer a universal, normative measure. Friends and enemies speak the same language but the referents of their words are entirely different. In this sense, they speak right past one another.

We cannot predict in advance where the sacred will appear; we cannot predict what will come to represent the sacred quality of our politics. Even the most mundane act or object can come to be seen as an element of the "American way of life." To understand a person or thing as sacred is not a matter of giving it "added value." Value in this quantitative sense is always an attribute of labor. The sacred does not exist in the dimension of comparative value and capital preservation. Just the opposite: the sacred is always at the edge of its own destruction. The *mysterium tremendum* terrifies as it sanctifies. We know the person as a saint when he sacrifices his own life. We know the sovereign as an ultimate value when sovereignty threatens to consume the entire well-being of the state. In this dimension, destruction is not labor lost, but labor transcended. This is what the counternarrative preserves as living memory.

In the West, we are never far from the story of the Fall, but neither are we far from the story of recovery. The model of recovery is the sacrifice of Isaac – a story not simply of religious faith but of political foundations. The test of Abraham's faith was belief in the paradox that in order to found a nation, he had to sacrifice his only legitimate son. There would be no nation until and unless the divine appeared. That appearance of the divine, however, would consume the very being of the profane, i.e., the son. The nation becomes possible not as a

familial project of labor in either of its generative senses. A nation begins only with a sacred foundation – just what fallen man cannot give himself. That is the meaning of sacrifice – a making sacred through destruction of finite form. This is the paradox of the sacred: we must destroy to create, die to live. Our politics has followed this paradox from the beginning: We maintain the nation by sacrificing the sons.[48]

The demand for sacrifice tests our faith in the ultimate meaning – the sovereignty – of the polity, just as Abraham was tested. In fact, we cannot learn that we have this faith until we are tested. That test is not proof to a third party, but constitutive for the subject. Fortunately or not, Western citizens have had no trouble passing this test in their relationship to the nation-state. Surely this should not surprise us: we live in a culture that begins with the twin sacrifices of Isaac and Jesus as moments in recovery from the Fall. In politics as in religion, through death is life.

Labor can preserve but it cannot found the world. Paradoxically, to bring into being a meaning for which it is worth living, one must first be willing to engage in an act of self-sacrifice. We know this intuitively in our everyday life. A person unwilling to sacrifice is a person without love. Such persons can see no further than their own interests. They live in a

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[48] Wilfred Owen makes the direct connection of the War to Abraham, who now rejects the ram in place of his son: "But the old man would not so, but slew his son./ And half of the seed of Europe, one by one." W. Owen, "The Parable of the Old Man and the Young," in *The Collected Poems of Wilfred Owen* 42 (1965). Modernity has largely overcome the gendered character of political experience, first by extending the domain of destruction – i.e., sacrifice – to the entire population, and, more recently, by allowing women to enter the battlefield itself.

world without objective value. There is nothing against which they measure themselves or which they can claim should be of value to others.

Political violence, then, is not simply a form of labor but is the answer to man's condition as symbolic laborer. Political violence is about redemption from a life of labor. This is why the act of political violence shows us a perfect match of destruction and construction. They are one and the same. Terrible as war may be, we find over and over again that the experience stands out in people's lives as the point at which they knew a kind of perfection of meaning.[49] This can be true of victims as much as victimizers. Once suffering becomes sacrifice it transcends its own finite conditions. It is constitutive of an identity that can ground or re-ground a life. At the moment of sacrifice, the individual knows exactly who he is and what is the value of life. Labor, on the other hand, never escapes doubt, for labor is never commensurate with death. It is death put off, which is never enough for man.

Terrible as sacrifice may be, it is the point to which reference is made in understanding all that happens thereafter. This is true not only for individuals, but for entire societies. The ages of American political life are marked by the violence that founds the meaning of this world: the Revolution, the Civil War, World War II, the Cold War – and perhaps now the war on terror. It is also true of internal wars, even when they take the form of terror and repression. The imaginary construction of political sacrifice means that those who carry out these violent acts have to believe that the nation is at risk, and that they too are willing to sacrifice themselves. Political killing is always the reciprocal side of a willingness to be killed. Without that

[49] See J. Gray, *The Warriors: Reflections on Men in Battle* (1973); Hedges, *War is the Force that Gives Us Meaning* (2002).

reciprocity, killing is just crime and personal pathology – of which there is no doubt plenty – passing for the political. Under conditions of belief in reciprocity, however, even repressive violence can appear as a form of sacred violence. For this reason, those involved will always try to resurrect the moment as foundational in their own lives and in the history of the nation. Argentine dirty warriors want recognition for their victory; Pinochet and his supporters remain unrepentant; Milosevic still believes he embodied the Serb nation.

These views can change, just as religious beliefs can fail. Nevertheless, we cannot manage the movement from one set of beliefs to another. Even punishment can be seen within the prism of sacrifice: what we call justice may be seen as only the politics of war continued by other means.[50] Nor are truth commissions or any other innovative form of "transitional justice" likely to shake these beliefs, at least in the short term.[51] For these beliefs are a matter of faith, not evidence. The creationist is not moved by the evidence of evolution. Those who believe in their own sacrificial identification with the sovereign will not be moved by the evidence of suffering of their victims.

Conclusion: Political Evil

Because the character of political violence as both labor and sacrifice is so obscured by our willful belief in the narrative of the modern state, I have focused particular attention on the deeper rhythm of the symbolic form. Only within this matrix of belief, do we get to the heart of

[50] Those Japanese convicted of war crimes after World War II, for example, quickly came to be seen as sacrificial victims of a process that was only victors' justice, i.e., the final playing out of the war itself. See J. Dower, *Embracing Defeat* (1999).

[51] See N. Meredith, *Coming to Terms: South Africa's Search for Truth* 314-19 (1999).

evil in modernity. The evil of modern politics is an inverse of the dynamic of the shame of nature represented by the slave, which I described in the previous chapter. The evil of slavery arises out of the desire to localize and expel the merely natural from the symbolic order of the society. If the body is only the shame of nature, it is no longer the site of the passion of Christ; it is not the object of sacrifice or the material proof of faith. A slave-owning class is quick to show its own willingness to sacrifice, to show that it is not bound to the body but fully invested in an idea. This was the language of revolution and thus of popular sovereignty to which Jefferson and the founders appealed.[52] But if the paradigmatic political evil is not slavery but the tortured and destroyed body, then the victim of evil can as easily be the master, who appears now as the citizen-soldier. He becomes the victim of his own imagination. If the master would not be a slave, he would willingly assume the place of Christ. Suffering is proof of his faith in an ultimate meaning. Suffering becomes torture at the moment that faith fails.

To the outsider, the ritual infliction of pain – even if willingly assumed in an act of self-sacrifice – will always appear evil. It will appear as a form of that oldest paradigm of evil, idolatry. For the outsider does not see the transubstantiation of the flesh, but only the pain. He sees a false promise of redemption – a worship of nothing but an empty idol for the sake of which suffering is inflicted and pain endured. This was the reaction of the European colonizers to the sacrificial rites of the indigenous Americans. Outside of the faith, other explanations are offered for this suffering: coercion, false consciousness, fear, ideology, or the Devil. To see

[52] The lingering attachment of southern society to the duel suggests the same distancing from the idea of the body as merely natural. J. Williams, *Dueling in the Old South: Vignettes of Social History* 26-27 (1980).

another culture's rituals of sacrifice as evil, one need not believe all such rituals to be idolatrous. One need only believe that this particular practice fails. In place of recovery from finitude it offers only a false path of flight from death.

The experience of "seeing through" sacrifice to a world of pain and death is not, however, only the experience of the outsider. The insider can become the outsider when faith fails. One's own practices of sacrifice can come to be seen as empty. Every ritual of sacrifice stands just at the edge of failure. Even Christ suffered doubt. The failure of faith is as familiar an experience as the fullness of faith. When we lose faith, we no longer see the transcendence of death, but only a futile flight from death in which we have become victims. We see pain in place of life.

For the sake of the deathless sovereign, politics creates a world of killing and being killed, of reciprocal acts of sacrifice. This is a world of ultimate meaning as compelling as those of any religious faith. But precisely because it is a violent world, the line between sacrifice and coercion can dissolve for the actor himself. Practically, we see this in the institution of conscription: conscription is not exactly coercion – it is not the same as impressment in a foreign service – but it becomes increasingly coercive as faith in the transcendent meaning of the polity fails. The ultimate failure is when the conscript sees himself as just another victim of the state's violence. From the perspective of this victim, the conditions of warfare collapse into those of torture. The victim knows that he may be brought to suffer terrible pain or death, that his body will be forced to bear a political meaning with which he does not agree and in which he has no faith. In politics, killing is always linked to the perception of a threat of being killed. That means that every participant can appear to himself as a victim. Without faith in the sovereign,

sacrifice becomes victimhood and injury becomes torture. The war-wounded veteran is likely to resist this reading of his own body. He will insist that the missing leg is a mark of his own participation in the sovereign. But that faith is vulnerable, and when it collapses he becomes in his own eyes, another victim.[53]

The experience in the trenches of the First World War, for example, comes to appear to many as nothing other than a torturous mauling and destruction of bodies – a task well beyond the capacity of labor to justify or repair. For the soldier who has lost faith in the sovereign character of a politics of sacrifice, war becomes a scene of horrendous torture: broken bodies, pain and death.[54] Once a family loses this faith in the sovereign, it will only see the state conscripting and killing its loved ones. This is an entirely familiar phenomenon. The sacred loses its power and we are left with the tortured body – a residue of politics when faith in the sovereign has disappeared. Wilfred Owen captures this residue of the dying body when he writes: "What passing-bells for those who die as cattle?"[55] Not sacrifice, but slaughter; not the transcendence of the merely human, but the evil of the loss of the human. To those who do not hear God, Abraham's action must have looked like a bizarre torture of his son.

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[53] The 2004 election showed that American conflict over Vietnam continues to play itself out in this contrast between victimhood and sacrifice. Something similar has been happening in Germany with respect to participation in World War II: a dispute over who the victims are.

[54] The greatest fictional representation of the tortured quality of the battlefield may be E. Remarque, *All Quiet on the Western Front* (A. Wheen, trans. 1956).

[55] W. Owen, "Anthem for Doomed Youth," in *The Collected Poems of Wilfred Owen* 44 (1965).

A secular age looks back at the wars of religion and sees in them a great evil: bodies were destroyed for "no real reason." All the suffering and destruction to what end? Similarly, we look at the tortured destruction of witches and heretics as a kind of madness producing great evil. Once faith is gone, we are left with only tortured and maimed bodies. So we are beginning to see our own political past. We do not see political martyrs, but senseless suffering. No longer understanding the sacred character of the political, we see only the tortured bodies of the victims. We can no longer distinguish clearly between friends and enemies among those broken bodies. Do we not all die the same death? We see a field of arbitrary death and destruction that contributes nothing to the well-being that we would place at the heart of the contemporary political narrative. Our customs of war – humanitarian law – may harden us to some forms of destruction over others. But once we lose faith in the ultimate value of politics, there is no particular reason to prefer the killing of young men over others. Nor is there any reason to prefer death by the modern technology of war over the primitive methods of the terrorist or the dirty warrior. To the politics of well-being, these are senseless distinctions. If there is no difference between the tortured body and the sacrificed body – both are victims of an idolatrous belief – the debate about the technology of warfare is an argument with the Devil. In a world with no ambition beyond well-being, a politics of sovereignty that leads us to the edge of total destruction in a nuclear Armageddon must be condemned as the greatest evil.

Or, I should say, this is what we might begin to see – or even hope to see – but still not quite yet. The politics of the sublime, of the sacred character of the nation, recedes but is not yet gone. The counternarrative persists. The popular sovereign remains a brooding presence capable of enthralling the nation. It remains a hungry god and we remain willing to feed it our

children. We react in only half-forgotten ways to the attack of September 11. We appeal again to the old language of sacrifice. We fail to see the tortured bodies of the victims of our actions as we pursue the Western politics of sacrifice, of killing and being killed, first in Afghanistan and then in Iraq. We see instead the self-sacrifice of our own citizens as they affirm in and through their own lives the ultimate meaning of the popular sovereign. We continue to distinguish friend from enemy.

Torture and sacrifice are reciprocal images of each other. More than that, they reside in the very same act. This ambiguity of man's body – tortured and divine – is the imagery of the Cross. If we could always tell the difference between sacrifice and torture, then we would have no trouble distinguishing love from evil. In politics, however, killing and being killed are so inextricably linked that we cannot tell them apart. Our own history of violence appears to us as a sacred history of sacrifice. It does not appear that way to others, who see only the destruction and pain, not the promise of the sacred.

Not surprisingly, political meanings remain entangled in the deepest mythical foundations of the culture. If we would call torture evil, as we must, then we have indeed reached the goal of our inquiry into evil. For evil is located at the source of our own symbolic world. Man is out of place in a world constituted by labor. To find his way out, he must overcome death itself. Just there, in the flight from death, we find the foundation of evil.