

# Critique of Violence: the deposing of the law

## Walter Benjamin and the Red Army Faction, Part 2

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Things fall apart; the centre cannot hold;  
Mere anarchy is loosed upon the world.

W.B. Yeats, 'The Second Coming'

The 'Critique of Violence' (1921, hereafter abbreviated to 'Critique') is the only published statement of Benjamin's on politics and violence from a cluster of projected and/or lost writings dating from his 'theological' period.<sup>1</sup> Various philosophical readings of this difficult, singular essay have been published and discussed over the last ten years. During the same decade, a no less dense three-page draft from the same year, 'Capitalism as Religion', has attracted equal, but separate, attention.<sup>2</sup> Their relation is both antithetical and contrapuntal. The one sketches the seemingly inescapable immanence of an all-encompassing world-historical dynamic; the other invokes the imminent possibility of 'striking' a way out. This polarity surely reverberates beyond its immediate context all the way into ours.

Since the early 1980s there has been a marked increase of interest in the early theological Benjamin and a concomitant decline of interest in the late materialist one. In some obscure way, these fluctuations could conceivably belong to the after-effects of the episode of the Red Army Faction (RAF), or at least to the larger political conjuncture in which it intervened. The argument might go roughly as follows. Globalization and the creation of a *Weltinnenraum* ('world interior') define the present age. In and through massive convulsions – revolutions, world wars and their attendant catastrophes – world history has steadily become more 'integrated'. *The Communist Manifesto* described the prehistory of this accelerating dynamic and announced an imminent end to it; in the wake of the failed Russian Revolution and the Shoah, *Dialectic of Enlightenment* (1947) drastically rewrote the scenario; between the two, 'Capitalism as Religion' described a religion to end all religion – a secular,

neo-mythic monotheism which promises no beyond, only the endless spatio-temporal extension of its own self-produced, self-enclosed hell. It was against the neocolonial expansion of this system – more precisely, against the US conduct of the Vietnam War – that the '68 student movements, and then the RAF, struck out, at a moment when a world-historical reversal initiated by Third World wars of liberation could still seem a possible prospect. Since then, entirely different, mainly Islamic terrorist movements have arisen, many directly or indirectly engaged in an unequal struggle against American imperialism. In the West, political radicalism has largely retreated within the confines of philosophy. With the successive collapse of the student movements, their terrorist offshoots and the Soviet empire, the erstwhile Left has fallen into long-term disarray. In Germany, many who once blamed Adorno for arguing the impossibility of forcing a way out have, openly or not, conceded his case; one of the former adherents to the 'critical theory' (*die Kritische Theorie*) of the Frankfurt School has announced the 'end of critique'; in our post-communist era, others have variously turned to the early pre-Marxist Benjamin. The missed encounter between the 'Critique' and the RAF – the hypothetical object of the following remarks – has yielded to a long 'Saturnine' conjuncture between 'Capitalism as Religion' and the global present.<sup>3</sup>

'Seize the day': this recipe for happiness is also, according to Benjamin, the essential political task. It is only because the rendezvous with the present can be missed, as it almost always is, that it can ever hope to be seized. Hence Benjamin's 'Copernican' theory and practice of historiography, according to which it is the – allegedly fixed – past that revolves around the – disappearing but thereby graspable – present, and not the other way round.<sup>4</sup> The primacy of politics over history is, he claims, the firm experiential given on which the reading and writing of history pivot.

With few exceptions, however, the present is more or less absent from recent philosophico-political readings of Benjamin's 'Critique'. If his 'Copernican' theory is valid, this relative silence must in turn be read as an oblique commentary – eloquent, inarticulate or both – on the task of seizing the present. What the best readings nevertheless share with the 'Critique' is a search for alternatives to what, by analogy with the 'really existing socialism' of the erstwhile Soviet bloc, might be termed 'really existing' politics. From the 'Judeo-Platonic' standpoint outlined in the 'Epistemo-Critical Preface' to Benjamin's study on *Trauerspiel*, what we are in the habit of *calling* politics is as remote from a politics worthy of the 'name' as the human species is from the 'idea' of humanity. Just as 'what we call progress' is, according to the Ninth Thesis, a 'storm blowing from Paradise', so what we call history is still sunk in what Marx and Benjamin call 'prehistory'. This is how it looks not merely – from above and beyond – to its Angel, as Benjamin portrays him, but also – from below and behind – to Kafka's ape.

The politics on which Benjamin's 'Critique' stakes its claim has a name or idea which likewise needs to be rescued from standard 'prehistoric' usage: anarchism.<sup>5</sup> Herewith an attempt to do so in the spirit of this and other texts. In declaring its allegiance to anarchism, the 'Critique' exposes itself to what Benjamin elsewhere calls 'enthusiastic misunderstanding'.<sup>6</sup> Enthusiastic because self-interested, such misunderstanding confuses adult and 'childish' versions of anarchy. What usually goes by that name – the lawless violence 'loosed' upon the world whenever the 'centre' loses its 'hold' – is the scarecrow brandished, in their *Grande Peur*, by threatened rulers, the better to banish the thought of that *other* anarchy for which (according to *Schönes Entsetzen*) the 'dull crowd' is, deep down, waiting. *Such* anarchy would no longer be the distorted mirror-image or reactive by-product of the existing order, but their joint undoing – the smashing of a 'kaleidoscope' that merely reshuffles the pieces – the disordering of the disorder that all so-called order has so far visited upon the world.<sup>7</sup> The terms thus change places. 'Order' creates its own anarchy; anarchy liberates its own order. Haunted by a prospect that once constituted its own programme, the bourgeois order conjures up the age-old spectre of Anarchy, the better to ward off its double – the spectre of a truly anarchic, finally viable management of human affairs. In short, the forces of Reaction choose to misunderstand what they understand all too well. They pass off the danger to their existence as one to civilization in general and conflate the promise of a revolutionary

leap *beyond* the law with the threat of an inevitable relapse into what allegedly reigned *before* it. Such wilful misunderstanding of what anarchism is, or could be, belongs to the system of defences with which any ruling order protects and justifies its existence.

Not (it might be added with or against Benjamin) that these safeguards could ever be instantly disposed of. Rome will not be unbuilt in a day, nor the police disbanded overnight. Whenever a 'power cut' occurs, as it did one night in New York, the looting immediately begins. Reactive lawlessness has all the predictability of a law. But (the ghost of the 'Critique' mutely asks) what in the name of God – alias the other anarchy – are the laws of a god-forsaken order supposed to prove?

### Three readings

This is not the place to comment on the three most remarkable readings of the 'Critique' to date, merely to situate them for our present purposes. Werner Hamacher and Giorgio Agamben both apparently endorse, without reservation, the anarchic premise of Benjamin's 'Critique': the rejection of law (*Recht*) in the name of justice (*Gerechtigkeit*).<sup>8</sup> Whereas Hamacher's intensive inquiry into the problematic of *Setzen–Entsetzen* (posing/positing/instituting/deposing) allows itself only an occasional foray into empirical history, Agamben's far-ranging argument bases itself on an ongoing 'state of exception' – a sweeping empirico-metaphysical 'actualization' of Benjamin's thought, certainly, but perhaps also the obverse side of its above-mentioned absence. Neither has any more to say than did Benjamin himself about how to reach the promised land of messianic anarchy. To the author of the 'Critique', this new era had not seemed so 'unimaginably remote' as to 'reduce a word against the law to futility' (*daß ein Wort gegen das Gesetz sich von selbst erledigt*).<sup>9</sup> And even when, in 1940, that era must indeed have seemed unimaginably remote and that word still more tenuous, Benjamin still held on to the same messianic prospect. The only solution to a 'state of emergency' that is in fact 'the rule' is, so the Eighth Thesis claims, to 'bring about a real state of emergency'<sup>10</sup> – one that will bring panic and dread (*Entsetzen*) not merely to fascism but to the entire international order and its acquiescent subjects. Not for nothing, however, and not for the first time, does Benjamin portray himself in the notes to the 'Theses' as clinging to the 'tiniest guarantee' like a drowning man to a straw.<sup>11</sup> The 'real state of emergency' was this infinitely fragile, yet shattering, guarantee. Whatever its chances of realization, this was in Benjamin's eyes the measure of what was needed to win the struggle.

Or, as he had put it two decades earlier, the critique of violence is synonymous with that of the law per se and ‘cannot be implemented by any lesser programme’. In defending a comparably maximalist position fifty years later, Agamben and Hamacher are unable to connect the ‘*weak* Messianic force’ given, according to the ‘Theses’, to ‘each generation’<sup>12</sup> with any more specific historico-political threat to the status quo: neither with the traditional lever of Marxist theory, which the ‘Theses’ could themselves invoke only in semi-biblical terms as the ‘oppressed’, ‘struggling’, ‘avenging’ class, nor even perhaps with those ‘most inconspicuous’ of historical changes that point towards the sun rising (the ‘Theses’ enigmatically assert) in the sky of history.<sup>13</sup> This inability is everyone’s and no-one’s. However ‘meagre’ the present may be, Benjamin claimed, one has to have it ‘firmly by the horns’.<sup>14</sup> The dilemma on whose horns we are caught today is that it has neither horns to grasp nor a collective hand with which to grasp them. Seizing the day – the possibility on which Benjamin’s entire position rests – has become an aporia. But was not he too already caught in this dilemma? Do not his frequent images of immediate hand-to-hand praxis often seem calculated to defy their own impracticability?

In his ‘deconstructive’ reading of the ‘Critique’, Jacques Derrida, unlike Hamacher and Agamben, voices serious reservations about Benjamin’s stark and, he claims, untenable opposition between law (*Recht*) and justice (*Gerechtigkeit*).<sup>15</sup> Not that he renounces Jewish messianism for the sake of an ‘ethic of responsibility’ – or not, at least, in the manner of Max Weber’s essays on politics and science as a ‘calling’. But the only tenable version of that call resides for Derrida in a ‘messianicity’ weaker even than the ‘*weak* messianic force’ of the ‘Theses’. The all-too-strong Messianism of the ‘Critique’ moves, he argues, in a historico-political danger zone that is also a German-Jewish hall of mirrors. Not content to echo the warnings of Benjamin’s German-Jewish friends against ‘dangerous liaisons’, he even claims to see a parallel between Benjamin’s – admittedly disconcerting – emphasis on the ‘bloodless’ quality of divine violence and the Nazi gas chambers.<sup>16</sup> The Holocaust would then be the ‘worst case’ (*Ernstfall*) against which Benjamin’s ‘Critique’ needs to be tested. *Entsetzen* would have taken a quite different turn. But Derrida gives no supporting evidence for this claim, which, as it stands, amounts to another ‘enthusiastic misunderstanding’.

Benjamin shares Marx’s axiomatic claim that philosophy is to become real, and reality philosophical. But that prospect, however imminent, is not to be

*imagined* – cluttered, that is, by images drawn from the class-bound present. Instead, it is to be *conceived*, *ex negativo*, as a class-less society. This Judeo-Marxist ban on graven images is part of the politics of *Entsetzung* announced in the ‘Critique’:<sup>17</sup> the clearing away of all programmes, models and statutes (*Rechtsetzungen*) that occupy (*besetzen*) the terrain in advance and, by over-anticipating it, obstruct the advent of a future that isn’t simply a prolongation of the present. At the same time, the ‘Critique’ shares with its commentators the problem of finding points of contact *with* the present – which is, we saw, the hinge on which Benjamin’s thinking turns. While it alludes to a number of recent events or models that lend actuality to its messianic promise – the German (and implicitly the Russian) Revolution, worker uprisings, strike laws, the general strike versus ‘political’ ones and, worse yet, the recent doctors’ strike – its discourse moves on a level seemingly far removed from messy empirical history. It may seem pointless to expect mediation of any kind from an essay dedicated, as we will see, to integral immediacy. Benjamin’s thinking nevertheless stands and falls by the possibility and urgency of mediating between idea and reality.

The philosophers, the RAF could have said, have merely interpreted the ‘Critique’; our task is to realize it. None of the above-mentioned philosophers pauses to consider this virtual claim. Is this a significant omission? And, if so, did it signal unmentionable sympathy with the RAF? Or, conversely, horrified dissociation from it? (The former does not exclude the latter, may indeed render it the more necessary, as the ‘Mescalero Letter’ showed.) Or neither? Would not the drawing of any lines, however diagonal, between the ‘Critique’, their interpretations of it, and the RAF inevitably have provoked enthusiastic misunderstanding of their own political intent? None of them, at all events, found it necessary to come to terms with the possibility of a terrorist (mis)reading of Benjamin’s text.<sup>18</sup> From a liberal-democratic standpoint, on the other hand, this eventuality may already be implicit, perhaps even implicated, in the ‘Critique’. On this there will be more to say shortly.

‘The philosophers have merely interpreted the world...’ But violence and justice are also at work, as Derrida stresses, in the act of interpretation itself, which always variously over-, under- and/or misinterprets. One cannot do a text justice without doing it violence; but the latter has, to be just, to be done ‘the right way’.<sup>19</sup> That is, with *all due* violence. The present article cannot undertake, even in ‘rough’ outline, to do justice to the problem of violence and

justice elaborated in the 'Critique of Violence' and its recent readings. Its concern is with something else – namely, the violent (mis)reading to which, under serious pressure (*im Ernstfall*) and/or in a situation of historico-political stalemate, the 'Critique of Violence' was, or might have been, exposed by the – or rather a possible – RAF. Texts are, after all, not only consumed by solitary readers but by groups, collectives, epochs and events. And the axiom that there can be no justice without violence applies with perhaps even greater force to a text that aims to show just that.

What could or must have drawn the RAF to the 'Critique' is obvious: its 'devastating' (*durchschlagend*) critique of the impure, mythic violence of the state in the name of a just, pure, divine violence and its human, namely revolutionary, counterpart. Here another enthusiastic misreading looms. If revolutionary action is in some sense inspired by the example of certain 'striking' acts accomplished by the Old Testament God, what is to prevent revolutionary leaders from appointing themselves His plenipotentiaries on earth, like, say, today's Talibans or Revolutionary Guards?

To this suspicion a short, probably contemporaneous text, the so-called 'Theologico-Political Fragment', gives an unequivocal answer by explicitly rejecting the 'political meaning of theocracy'.<sup>20</sup> Here, too, anarchic *Entsetzung* is at work. The Kingdom of God, it is announced, cannot be 'posited' (*gesetzt*), or even related to, as the 'goal' (*Telos, Ziel*) of the profane world, only as its 'end' (*Ende*). (Benjamin would perhaps have developed this argument in the chapter of his *Politics* entitled 'Teleology without end-purpose [*Endzweck*].') There can be only one valid political goal: to render immediate, integral, anarchic happiness possible – the libidinal counterpart, in some respects, to what *The Communist Manifesto* terms the 'unleashing of the productive forces'. 'Life, liberty and the pursuit of happiness' are no longer limited, as in the American Declaration of Independence, to the rights and freedoms of property-owning individuals. 'The Fragment' does refer to the French Revolution; but what it calls the 'striving of free humanity for happiness' far exceeds it. It aims at nothing less than the ecstatic *dispossession* and Dionysian dismemberment of the self-positing self. Benjamin's celebration of *Glück* recalls Nietzsche's affirmation of *Lust*. It, too, eternally wants itself, its own 'transience' (*Vergängnis*) and 'downfall' (*Untergang*) – its *telos* and end in one. The dispossession of the state and the law is, in short, synonymous with the expropriation and division of the so-called Individual, who comes into his own by losing what he owns.

Here we are, to be sure, worlds apart from the RAF (and only superficially closer to the 'free love' of Kommune 1). *Prima facie*, however, the RAF cannot be faulted for having disregarded Benjamin's theology. The latter *asks*, 'The Fragment' implies, to be disregarded, in order to make way for a truly profane, truly disenchanted world, rid not merely of myth but also of religion, once its victorious adversary. Theology is, however, to be *properly* disregarded, *productively* displaced (*entsetzt*) – namely, in a still theologically inspired manner, at least for now. Therein lies the singularity of Benjamin's notion of a 'profane order' and its incompatibility with the all too profane world of the RAF.

### A surreal symposium

Let us now return to those broad features of the 'Critique' in which the RAF might have seen distant but usable analogies with their own political analysis. 'Pure' violence, which coincides with pure non-violence, is, it claims, to end the reign of 'mythic' violence and 'depose' (*entsetzen*) the state. Its highest political expression in present-day Europe is the general strike – not of the 'political' type calculated to extort improved conditions, but the 'proletarian' one directed at the 'annihilation of state violence'.<sup>21</sup> There is 'something rotten' in the state as such – not merely in the State of Denmark. The institution of laws (*Rechtsetzung*) has always been that of power (*Machtsetzung*) by 'prerogative' (*Vorrecht*: literally, 'pre-law').<sup>22</sup> This mythical circle of Power, Privilege, Law and State is not, however, an anthropological or ontological constant but a pre-historical continuum punctuated by cycles of decay and renewal: 'The law governing these oscillations' – the law of the law – 'rests on the fact that ... all law-preserving [*rechtserhaltend*] violence itself indirectly weakens the law-making [*rechtssetzend*] violence it represents by its suppression of hostile counter-forces.' At war with an inner enemy that represents its own founding principles, the law is 'shaken' by both 'fear' and 'self-mistrust'.<sup>23</sup> That all modern European states should have resorted to the 'monopolization of force'<sup>24</sup> and feel threatened by the 'mere existence' of any force outside the law, irrespective of its intent,<sup>25</sup> is evidence in Benjamin's eyes of their inner demoralization, perhaps even of their imminent breakdown. A virtual transfer of power is taking place here before the reader's eyes. The shaken self-confidence of the state and its crumbling sense of its own legitimacy provide grounds for, and confidence in, the seemingly wild, millenarist gamble of this article on a 'new historical epoch' that will finally

break the age-old spell of myth. Distant rumblings can already be heard here between the lines. What, the text seems to be asking *sotto voce*, if it were only a question of pushing what is falling? Several years later Benjamin calls his surrealism essay a 'last snapshot of the European intelligentsia'. The 'Critique' could in turn be called an X-ray of European reaction. The mysterious source of Benjamin's 'illuminations' could in turn be identified as an anarcho-messianic X. It is around the promise of an unknown solution that the 'Critique' turns.

The RAF would likewise be sustained by its confidence in the vulnerability of the capitalist system on both inner and outer fronts. It was, however, the Soviet bloc that would collapse under such twofold pressure. Capitalism, spiritually spent and moribund though it may be, has 'creatively' renewed itself in and through its recurrent crises. The experience of his generation, Benjamin noted in the mid-1930s, was that capitalism would 'die no natural death'. This experience was in part the result of what he called the 'decay' of experience—the base metal of modern literature from Baudelaire to Kafka and Beckett. 'The world will end', according to a late unpublished text of Baudelaire's, by outliving its own historical *raison d'être* and going on impervious to its own horror.<sup>26</sup> It will end, in short, neither with a bang nor with a whimper. Perhaps the worst *Entsetzen* of all, not only for Benjamin's generation, is that there is no *Entsetzen*; that the 'dulled multitude' is not even potentially a critical mass; that the catastrophe is here to stay.<sup>27</sup> This spectre haunts Europe too and keeps the other one in check.

Let us return to the RAF by way of the contribution that Jürgen Habermas made in 1972 to a symposium entitled 'The Actuality of Walter Benjamin'. His essay begins:

The battle fronts that have begun to emerge in the brief period since the appearance of his [two volume *Schriften*] and their almost eruptive reception in West Germany were anticipated in his biography. ... Only as a surrealistic scene could one imagine Scholem, Adorno and Brecht assembled around a table for a peaceful symposium, with

Breton and Aragon crouching under it and Wyneken standing at the door ... Benjamin's intellectual existence had so much of the surreal that it should not be confronted with unreasonable demands for consistency. ... Benjamin belongs to those unsurveyable [*unübersichtlich*] authors whose work gives rise to a disparate posterity. We encounter them only in the sudden flash of actuality with which a thought achieves dominance for a few brief seconds of history.<sup>28</sup>

The tensions between author and subject are palpable. 'Always radical, never consistent', Benjamin never took back his 'word against the law' and could not forgive social democracy for its betrayal of the revolution. Habermas, for his part, consistently draws social-democratic conclusions from the experience of *his* generation – the progress in democratization made in Germany since the debacle of the Nazi 'revolution' – and will subsequently coin the term 'patriotism

**Anarchistische Gewalttäter**  
— Baader/Meinhof-Bande —

Wegen Beteiligung an Morden, Sprengstoffverbrechen, Banküberfällen und anderen Straftaten werden steckbrieflich gesucht:

 Malinca, Ulrike, 1. 10. 34 Ulmshausen	 Baader, Andreas Bernd, 6. 1. 42 München	 Enssle, Gudrun, 15. 8. 42 Berlin	 Mehn, Holger Klaus, 20. 10. 41 Hamburg	 Rapp, Jan-Carl, 24. 7. 44 Berlin
 Harberich, Ina, 17. 1. 34 Frankfurt/M.	 Jäschke, Klaus, 6. 1. 47 Mannheim	 Angewalt, Renate, 20. 11. 40 Amsterdam	 Rapp, Bernhard, 25. 1. 45 Berlin	 Bräutigam, Karl, 27. 8. 40 Berlin
 Rapp, Ingeborg, 24. 4. 47 Berlin	 Müller, Ingeborg, 13. 1. 47 Berlin	 Melchior, Brigitte, 25. 6. 49 Starnberg	 Aichler, Axel, 25. 4. 35 Hannover	 Hanewinkel, Kerstin, 14. 12. 41 Jena
 Rapp, Emmarie, 24. 4. 47 Berlin	 Hansen, Sigfried, 24. 1. 32 Suhl-Bayern	 Brockmann, Helmut, 1. 1. 48 Ulmshausen	 Fichtel, Albert, 10. 12. 41 Stuttgart	

Für Hinweise, die zur Ergreifung der Gesuchten führen, sind insgesamt 100000 DM Belohnung ausgesetzt, die nicht für Beamte bestimmt sind, zu deren Berufspflichten die Verfolgung strafbarer Handlungen gehört. Die Zuerkennung und die Verteilung erfolgen unter Ausschluß des Rechtsweges.

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Vorsicht! Diese Gewalttäter machen von der Schußwaffe rücksichtslos Gebrauch!

of the constitution' (*Verfassungspatriotismus*) as a renewed, now cosmopolitan, pledge of allegiance to the state of law.

As a master theorist in the making and a professional surveyor of the field, Habermas occupies an intellectual and institutional position worlds apart from Benjamin's, which he finds difficult to place but too important to ignore. The question is whether, in casting him here as an outsider, though a strangely central one, and elsewhere assigning him the role of an occasional corrective to his own grand theory, he is not engaged in re-marginalizing Benjamin's thought. By characterizing its reception as so many 'flashes' of 'actuality', he is in effect limiting its theory of reading – qua 'readability'<sup>29</sup> – to Benjamin's own *œuvre*. The implication is that work such as his own, committed as it is to a notion of cumulative progress in the intellectual as well as the socio-political realm, can count on a correspondingly larger, steadier reception. While some occasionally flash and erupt, others are here to stay, discuss and mind the store. Here, too, a 'battle front' has 'begun to emerge'.

The occasion was a symposium to mark Benjamin's 'eightieth birthday'. Habermas begins here by sketching the surreal symposium that Benjamin's thinking represents – one far removed from his own 'discourse ethics' – and the 'disparate' reception it has provoked. Given the 'eruptive' incidents of the foregoing years (the occupation of the Institut für Sozialforschung, the brief transformation of the German Department at the Johann Wolfgang Goethe University into a 'Walter Benjamin Institute', etc.), the reservations voiced in the ensuing account of Benjamin's position contain a cautionary subtext for the student movement. (Max Weber's celebrated lecture 'Science as a Vocation', which had, amidst the throes of the German Revolution, warned a student audience against all attempts to stem or reverse the 'disenchantment of the world', may be regarded here as a distant precedent). But perhaps it even contains a little more. While no one could then know that an aberrant offshoot of that movement, the RAF, would soon be 'standing at the door' more like 'nihilism', Nietzsche's 'uncanny guest', than like Gustav Wyneken, Benjamin's early mentor, and intervening in more literally 'eruptive' fashion, Habermas seems to have sensed some such potential in Benjamin's thinking. History stretches out before the latter's 'Manichaeic gaze', he writes, 'like the orbiting of an extinct planet on which, now and then, flashes of lightning descend from on high [*herniederzucken*]'. Where Derrida, two decades later, sees both the best and the worst at work in Benjamin's non-negotiable

opposition between law and justice, Habermas has only suspicion for the polarization he finds in his thought between the eternal return of the same and its erratic, short-lived interruptions. Such an 'anti-evolutionary' conception of history, he claims, ought not be thrown over historical materialism like a 'monk's cowl'.<sup>30</sup> Seven years before, as the student movement was beginning to emerge, Marcuse had pointed to the inner coherence between the anarcho-theological 'Critique' and the historical-materialist 'Theses'. Habermas claims that the ungodly combination of theology and historical materialism – the winning couple of the First Thesis – was bound to 'fail'.<sup>31</sup>

Should, then, this 'disenchanting' account of a new-found icon of the German Left be read not merely as an oblique commentary on the unrealistic expectations of student radicals but even as a glimpse of the extremist potential hidden under Benjamin's 'cowl'? Were the extremes between which his thinking moved – a mythical continuum and revolutionary intervention – a volatile cocktail? Did it 'contain' them? It is hard to decide. What *is* clear is that the only chance of breaking the catastrophic 'sequence' or 'chain' of events evoked in the *Theses* would indeed be – but how? – to 'spring' a surprise on them; and that the potential contained in such recurrent terms of Benjamin's as *Sprung* ('leap', 'crack') and *sprengen* ('explode') was activated decades later by a conspiratorial political sect bold and crazy enough to challenge the state's monopoly on legitimate violence not merely in theory or in principle but in practice. What Habermas had tellingly paraphrased as 'flashes' and 'now-times' (*Jetztzeiten*) striking down from on high now (mis)translated into the strikes of an 'urban guerrilla', whose bank-robberies, kidnappings and assassinations failed to provoke anything like the expected reaction from a (sociologically recomposed) 'working population' not at all interested in overturning the (politically recomposed post-fascist) state. No encouragement for this grotesque miscalculation was given by Benjamin. 'I am determined to do my thing under all circumstances', he had written in 1931, 'but this is not the same in every circumstance'.<sup>32</sup> On the one hand, he refused to 'foreswear' his "'former" anarchism',<sup>33</sup> which remained to the last the irreducible core of his thinking. On the other, he knew that it had to be 'recast' each time anew, to the degree permitted by the 'temperature' of the class struggle. The RAF refused to acknowledge what that temperature was.

Benjamin's disparate reception was, Habermas claimed, 'set up' (*angelegt*) in his work. He did not,

however, accuse it of having prepared the way for terrorist acts which no one could foresee at the time. On another occasion, he raised a storm by warning the student movement against ‘left fascism’. On this one, he was perhaps the only participant to sense what could be made of concepts such as ‘actuality’, ‘violence’, ‘justice’ and ‘decision’ beyond the confines of a ‘peaceful symposium’.<sup>34</sup> To fail to distinguish the violence done by the RAF from that invoked by Benjamin would, however, be to do his thinking the worst kind of violence. ‘For it is not genuine renewal that is taking place here’, Benjamin writes in another context, ‘but galvanisation’.<sup>35</sup> The latter term fits the RAF well enough. In many cases, however, and perhaps even in theirs, it proves difficult to tell the two clearly apart. The distinction between the *Gewalt* of ‘pure’ actualization and the *Gewaltsamkeit* of ‘impure’ galvanization is intuitively compelling and theoretically indispensable. But who, short of God, is unfailingly competent to make it?

Who, then, does not in all earnest (*im Ernstfall*) share at least some of Habermas’s evident dismay (*Entsetzen*) at Benjamin’s theological thunderbolts? But who does not also feel dismay at such dismay? Are not the tremors that the ‘Critique’ inevitably produces mostly the protective prejudices of the status quo? Its refusal to let itself be actively dismayed at itself is, it was suggested, the real *Entsetzen*. This is why the ‘Critique’ cannot simply be dissociated from the RAF, or rather from what it should have been – *whatever that is*. *That* – Benjamin once said of Heidegger, whom he and Brecht planned to ‘demolish’ – is how *not* to do it. To know that much is not necessarily to know how it could or should be done.

### ‘True’ politics and the ‘great’ criminal

The parts of the ‘Critique’ which members of the RAF might have marked in red are easily identified. They include a paragraph on the ‘shameful’ nature of the *police*, which by mingling law-preserving and law-making violence routinely makes a mockery of the constitutional separation of powers on which all modern European law rests and brings with it an acute ‘degeneration’ of power characteristic of all modern democracies;<sup>36</sup> remarks on the ‘decay’ and the ‘familiar woeful spectacle’ of contemporary *parliaments*, which have ‘not remained conscious of the revolutionary forces to which they owe their own existence’;<sup>37</sup> and the analysis of *compromise* as the continuation of (impure) violence by other (impure) means.<sup>38</sup>

These and other passages signal an uncompromising rejection of all liberal-democratic politics, as repre-

sented in Germany by the recently established Weimar Republic. Politics – so the standard liberal wisdom has it – is ‘the art of the possible’ or, synonymously, of ‘compromise’. ‘True politics’, the ‘Critique’ counters, thereby falls woefully short of the possible and is fatally compromised. Two models of conflict and its resolution are at loggerheads here: ‘lazy’ compromise (as the German language calls it) and strenuous happiness (*verum gaudium res severa est*). It is not, according to the central ‘mystical’ image of the ‘Theologico-Political Fragment’, by seeking to anticipate or conform to it, or, God forbid, to establish it on earth, but by recklessly ‘striving away’ (*strebt ... fort*) from the ‘direction of messianic intensity’ in pursuit of its own entirely opposite telos that the arrow (*Pfeilrichtung*) or force (*Dynamis*) of the profane order ‘furthers’ the coming of the messianic realm. A mystical transfer of energies takes place. To one coming corresponds another; to the messianic promise, Stendhal’s *promesse du bonheur*. This immediate, untrammelled striving for happiness is the precise opposite of all compromise, which (according to a passage from Erich Unger cited in the ‘Critique’) results from the frustrating blockage of one striving (*Strebung*) by a contrary one (*Gegenstrebung*) and is thus, however freely accepted, imposed from without.<sup>39</sup> Ecstasy or stalemate: *tertium non datur*. Any third way would amount to the second: the middle road, the second best.

On this analysis, compromise is of the same stuff as the violence it supposedly renounces. What it *actually* renounces is violence of a quite different order: undiminished happiness. Unger’s formula for the basic feeling underlying all compromise – ‘It would be better otherwise’ – will find an instructive echo in Churchill’s oft-quoted remark that democracy is ‘the worst form of government except for all those other forms that have been tried from time to time’. To this – the disenchanting wisdom of the disenchanting world – the following answer may be read from Benjamin’s ‘Critique’. In compromising with the worst, democratic politics compromises itself away. A true politics cannot be a matter of resigning oneself to the lesser evil or even to a better lot. It knows no sliding scale. It is violently, non-violently, other.

As the one f(r)action of the German Left that rejected all compromise and was ready to ‘off the pig’, the RAF might have imagined that it could simply paste some of the above-mentioned passages, as it did some from the ‘Theses’, into its ‘declaration of intent’. That would, however, have been to quote them out of context – the context being in this case Benjamin’s theory and practice of ‘quoting out of

context' (*Zusammenhang*). Quotation, thus conceived, is synonymous with 'rescue' (*Rettung*), rescue with destruction; it is the act of 'exploding', 'hewing' or otherwise tearing certain saving elements out of a web of mythic guilt (*Schuldzusammenhang*). All sides can readily agree that the way in which the RAF went about *its* rescue operations further enmeshed it in the mythic web and compounded the guilt. All too readily, in fact. For such unanimity leaves entirely unanswered the decisive question posed both by the RAF's debacle and by Benjamin's 'Critique': what acts of 'pure' violence can, under existing conditions, cut the knot without thereby adding to the primitive accumulation of guilt? The RAF might have seen itself as putting Benjamin's 'Critique' to the proof; liberals might have retorted that, like Marxism and the Soviet Union, each disproved the other. A small faction claimed to represent the only alternative to capitalism; a broad front claimed that there was none. The future 'readability' of Benjamin's 'Critique' lies in the uncharted terrain situated between this ideological crossfire.

A further area of potential identification again reveals the vast difference between Benjamin and the RAF. The 'Critique' refers twice to the figure of the "great" criminal who arouses the 'secret admiration of the people' even in defeat.<sup>40</sup> One again recalls here the 'clandestine pleasure' (*klammheimliche Freude*) that the anonymous 'Mescalero' admitted to having initially felt at the RAF's assassination of the West German federal prosecutor – an unholy glee that he was, by the end of his letter, the first to condemn. (That he would feel constrained decades later to take the whole letter back is a dispiriting sign of the times.) His was not, however, the voice of the 'people'. Not even the collective suicide of the incarcerated inner circle of the RAF elicited any popular sympathy. Quite the contrary: whipping up the 'healthy popular instincts' (*das gesunde Volksempfinden*) of a darker age, the populist *Bild* newspaper approved all the excesses of state violence that the RAF had succeeded in bringing upon itself. From an enlightened liberal standpoint, the state 'overreacted'. From that of the RAF, it behaved entirely in character. Therein at least it had Benjamin's posthumous support.

The 'Critique' acknowledges various time-honoured ways of finding non-violent resolutions for human con-

flicts in 'the proper sphere of "understanding [*Verständigung*]"', namely language, among them 'politeness of the heart', 'diplomacy', and other 'techniques of civil intercourse'.<sup>41</sup> It gives no credence, on the other hand, to abstract antitheses, current then as now, between violence and non-violence, war and peace, coercion and freedom – in short, to pacifism and 'infantile' anarchism.<sup>42</sup> Instead, it allies the right violence with the right non-violence, pitting both against their negative – namely, mythico-legal – counterparts, provisionally concluding that since no resolution of human conflict is



Arrest of Holger Meins, Frankfurt, 1 June 1972

conceivable if violence is in principle entirely excluded, types of violence must be sought which lie outside the law.<sup>43</sup>

The 'Critique' identifies the source and model of such extra-legal violence as God: 'It is never reason that decides on the justification of means and the justice of ends; rather, fateful violence decides on the former, while God decides on the latter'.<sup>44</sup> Five years earlier, the essay 'On Language in General and the Language of Man' had invoked God as the origin of the Word. In invoking a non-legal violence conceivable only as a 'pure means' (*reines Mittel*) or as 'no means at all', the 'Critique' is taking up the central argument of that essay. There the Fall had been interpreted as that of language from a God-given 'medium' of just, unique and proper names into a man-made 'means' (*Mittel*) of idle, proliferating, arbitrary signs – from the *Mitteilung* ('imparting', 'communication') of the Logos into what Benjamin calls *Mittelbarmachung* and *Mittelbarkeit* ('mediacy' and 'means-ability') – in short, from Paradise into bourgeois society. This 'shattering' (*Erschütterung*) of an original 'immediacy' is itself already the bottomless 'confusion' of Babel, a 'chatter' without 'common basis', which only the fallen



can mistake for communication. Words and things are henceforth ‘entangled’ in ‘enslavement’ and ‘madness’; these are, we may now extrapolate, synonymous with ‘compromise’ and ‘unhappiness’. All this coincides with the ‘mythical origin of the law’.<sup>45</sup> The Fall may, in short, be called that first great *Entsetzung* of the world, which the second, revolutionary one is to take back.

The revolutionary task thus coincides, via the experience of language evoked in the above-quoted letter to Buber, with the task of the translator, as described in the essay of that title: it is that of rediscovering the magical, prelapsarian ‘im-mediacy’ (*Un-mittelbarkeit*) of the Logos. In which case, word and deed are no longer posed/imposed on the world as a means of arbitrary power but (according to the ‘Critique’) experienced as the medium or manifestation of divine power – that of the Old Testament God, as opposed to the gods of ancient Greek mythology:

If mythical violence is law-making [*rechtsetzend*], divine violence is law-destroying [*rechtsvernichtend*]; if the former sets [*setzt*] boundaries, the latter boundlessly destroys them; if mythical violence entails both guilt and retribution [*sühnend*], divine power only expiates [*entsühnend*]; if the former threatens, the latter strikes [*schlagend*]; if the former is bloody, the latter is lethal without spilling blood. ... The first demands sacrificial victims, the second accepts them.<sup>46</sup>

Two orders of violence are opposed here. (That even sacrifice can be of either kind is something to which we will shortly return.) Both are immediate, but in antithetical ways, mythical terror being unredeemed and divine terror redemptive. The ensuing reference to two manifestations of divine violence – ‘God’s judgement on the company [*Rotte*] of Korah’ and the ‘crowd’s divine judgement on the criminal’<sup>47</sup> – is as summary as the justice invoked, of which it mimetically partakes. A modern secular mind cannot but be disconcerted (*entsetzt*) by these unargued, unarguable fiats, which raise the following questions in the present context. Are they not themselves so many *Setzungen*, oriented though they are towards *Entsetzung*? Compelling though the distinction between mythical law and divine justice may in principle be, how in practice distinguish the crowd’s ‘divine’ judgement from, say, lynch justice? Or God’s destruction of the boundaries that myth ‘sets’ (*setzt*) from the one that is thereby set between their respective spheres? Are such theological dichotomies proof against the mythical ambiguity they are set against? Or does *Setzen* threaten in this context to lapse – though not in the sense of the Fall – into a quite different *Entsetzen*, namely the difficulty of

telling good and bad *Entsetzen*, pure and impure violence, purely, cleanly, properly apart except by an act of faith? Do these distinctions, in short, ‘deconstruct’ themselves?<sup>48</sup> But do they not also make it possible to think the present from a vantage point beyond it? In Benjamin’s texts, God, we may perhaps provisionally conclude, is the cipher for as yet unresolved problems which could be solved only by being displaced.

Benjamin briefly evokes ‘educative violence in its most perfect form’ as one contemporary manifestation of the ‘bloodless, striking, expiatory accomplishment’ of divine violence.<sup>49</sup> His chief concern, however, lies with what, he claims, may be named its highest human manifestation: revolutionary violence. Such an ‘extension’ of the notion of divine violence will, he anticipates, prompt the ‘most violent’ (*heftigsten*) attacks, ‘especially at the present time’. (The last phrase underscores the charged context in which the ‘Critique’ intervened.) Contrary to what its enemies will want to claim, revolutionary justice, as here conceived, does not grant men ‘lethal power against one another under certain conditions’. The commandment ‘Thou shalt not kill’ remains ‘immoveable’; unlike human laws, it cannot be ‘deposed’. But it becomes ‘inapplicable, incommensurable’, once the deed is done. It stands,

not as a yardstick of judgement, but as a guideline for the actions of persons or communities who have to come to terms with it [*sich auseinandersetzen*] in solitude and, in terrible cases, to take upon themselves the responsibility of disregarding it. Thus it was understood by Judaism, which expressly rejected the condemnation of killing in self-defence.<sup>50</sup>

An aphorism in *One-Way Street* varies the same thought: ‘The killing of the criminal can be ethical, its legitimation never.’<sup>51</sup> *Legitimierung* can almost be translated here as ‘legalization’. *Entsetzung*, qua ‘delegalization’, implicitly opposes the bourgeois-capitalist juridification of social life.

To think divine and revolutionary violence together is thus to be exposed to contrary ethical demands and to have to decide between them alone, in the heat of action, immediately. *Sich auseinandersetzen* (‘to come to terms with’) may perhaps be read here as the taking (*setzen*) apart (*auseinander*) of the self-positing individual (*sich*), this time in an ethical rather than erotic sense. A chiasmus forms here with another exemplary *Auseinandersetzung*. It was by virtue of Abraham’s unconditional submission to God’s command that he sacrifice his only begotten son that he was released from having to carry it out. The revolutionary may, with no less fear and trembling, temporarily release himself from the divine commandment not to kill, this time in

obedience to a radically profane mandate – one which is, however, itself divine (if one extrapolates from the logic of the ‘Theologico-Political Fragment’) by virtue of its uncompromising radicality. No ‘legitimation’, human or divine, may be sought for this act, which is not a wilful, superfluous ‘turning away’ (*Abkehr*) from God’s Word like original sin, but an unavoidable ‘disregarding’ (*absehen*) of it. Its only justification – but Benjamin places the word *Rechtfertigung* between inverted commas, as if it were contaminated by the law (*Recht*) – is that pure profane violence is done, like its divine counterpart, ‘for the sake of the living’.<sup>52</sup> Such exceptions to divine commandment would presumably be oriented towards what the Eighth Thesis will call the ‘true state of exception’. Refusing to rationalize what is *ungeheuer* (‘terrible’, ‘immense’, ‘monstrous’) about them away, the ‘Critique’ rejects all versions of the argument so endlessly debated then as now, especially in the context of revolutionary violence, that ‘the end justifies the means’. Read in conjunction with ‘Capitalism as religion’, which describes the inner and outer economy of capitalism as a ceaseless accumulation of debt/guilt (*Schuld*), the weighing of means and ends appears as a cost–benefit accountancy that perpetuates guilt by neutralizing it in the scales of the balance-sheet. Revolutionary terror of this kind would merely vary the horror of bourgeois society: namely, *Entsetzen* no longer experienced as such. Far from ending *Mittelbarkeit*, it would constitute a monstrous extension of it.<sup>53</sup> Thought, writes Benjamin, crystallizes out of a force-field of tensions. In the tortuous argument we have just summarized, elements of German philosophy and the Spartacus League wrestle (*sich auseinandersetzen*) with a biblical angel. The argumentative process is one of continuous decision, not of endless talmudic commentary or legal debate. What Benjamin’s Logos calls for is to call things by their name; ‘overnaming’ came, on this reading, with the Fall.<sup>54</sup> In this spirit, the ‘critique’ concludes by making short shrift of a new surrogate idol that is regularly paraded as an unanswerable objection to all terrorist violence: the ‘sanctity of life’. It dismisses this ‘dogma’ as the last misguided effort of a weakened Western tradition to seek out a lost sense of the holy in the ‘impenetrable mystery of the cosmos’.<sup>55</sup> Here the distance between the early Benjamin’s reflections on revolutionary violence and the prevailing political discourse of his time and ours is again apparent. It is in this untimeliness that their actuality resides. The perverse sanctification of ‘life’ is to be found everywhere today, from the ‘creative destruction’ with which the capitalist economy regenerates itself, through the

‘wars’ on everything that threatens its life and ours (terror, cancer, drugs), to the ‘pro-life’ movement on behalf of the unborn.

## A red thread

Benjamin’s thinking takes up a peculiar place in the landscape of modernity. Adorno regarded it as an unrepeatably coincident of mysticism and enlightenment; Habermas, as an abortive attempt to combine the two. Nothing less, Benjamin’s First Thesis claims, can complete their common programme: the ‘uncompleted project of the Enlightenment’ (in Habermas’s phrase). It is between these poles that the ‘Critique’ negotiates a passage. Otherwise it negotiates with nothing and no one. It pursues its argument with a dry rigour equal to that of a legal brief; but it also brooks no argument. Its politics are entirely profane; but in its unequal struggle with the powers that be, this ‘word against the law’ draws inspiration from the power and the glory of the Word – the divine judgement which, in its ‘actuality’,<sup>56</sup> expelled Adam and Eve from Paradise.<sup>57</sup> As a sustained, self-fulfilling act of language which symbolically deposes all existing, legally constituted authority in the name of certain acts of God and man, Benjamin’s ‘Critique’ not merely *describes Entsetzung* but *partakes* of it. It rehearses, here and now, the coming standstill.

Perhaps this is what it took at that time to take all comers on. Rehearsed again today in the same terms, the imposing position of the ‘Critique’, and the oppositions and presuppositions it entails, would surely amount to a pose lacking in both theological and world-historical substance. (Was it by raiding the high ground of theology without ‘occupying’ (*besetzen*) it that the ‘Critique’ avoided this pitfall?) Surely, then, it asks meanwhile to be ‘deposed’ in turn? Nothing lay closer to the heart of Benjamin’s politics than that. The soberly materialist ‘liquidation’ of its founding rhetoric – its own ‘dismantling’ (*Abbau*) and ‘removal’ (*Entsetzung*) – was integral to it. But this impulse, too, is likely to meet today with enthusiastic misunderstanding. If Benjamin himself later dreamed of ‘blotting’ (out) the holy writ in which his thinking was ‘steeped’, he also noted his inability to do so.<sup>58</sup> Mainstream modernity might appear to have succeeded where he failed. But his incapacity puts our ease to a searching test. According to his essay on language, *Mittelbarkeit* is no longer ‘immanently’ magical, but ‘externally’ so, if not indeed, qua Babel, mythical and demonic. The fallen world would thus be less disenchanted than disinherited. Would not its lightweight babble sound as distorted to a putative Angel of Language as the

spectacle of 'progress' looks to the Angel of History? Above all, is it adequate to the tasks at hand?

The gulf between Benjamin's language and that of the RAF was at all events so vast that it is hard to discern any plausible relation between them. Meanwhile the storm that we no longer call progress has buried both under its rubble. In the wake of the RAF's defeat, the problem of political violence has been brushed aside and appears today both exhausted and taboo. The upshot has been, on the one hand, a return to the language and politics of inner-parliamentary opposition on the part of the Green Party, along with all the usual compromises (including the careerist variation, played by an erstwhile student leader who made it to foreign minister, on the slogan: 'the long march through the institutions'), on the other, a retreat by some of the best philosophers to various forms of 'weak' thinking.<sup>59</sup> Between the two yawns the political vacuum once so disastrously filled by the RAF.

The second sentence of the 'Critique' states that 'a cause, however effective, becomes violent, in a meaningful sense, 'only when it intervenes in moral relations'.<sup>60</sup> That sense is only residually present today and has largely been effaced by the objects of Benjamin's 'Critique' – doctrines of natural right that consider violence a 'product of nature, a raw material as it were, the use of which is in no way problematical unless force is misused to unjust ends' and, correlatively, the renewed extension to the sphere of law of a popular Darwinism that 'in thoroughly dogmatic fashion regards violence as the only original means, besides natural selection, adapted to all of nature's vital ends'.<sup>61</sup> All this provides an alibi for the perpetuation of what Benjamin calls 'natural' or 'pre-'history. In everyday usage, 'violence' signifies little more today than a by- and waste product of the social and political body, a disconnected statistical quantity that is 'on the rise', will never 'go away', but will hopefully 'decrease'. It serves a 'prehistoric' politics as the useful object of a manipulable fear.

A red thread runs through the 'Critique': the search for a 'somehow conceivable solution' (*Lösung*) or 'deliverance' (*Erlösung*) from the millennial past through a non-legal violence that operates in a 'somehow other' fashion than as a means.<sup>62</sup> Only by breaking the chains of means and ends forged by an all-pervasive sign-language (*Mittelbarkeit*) and by discovering a 'politics of pure means' would it interrupt the 'chain of events', namely the cyclical decay and rebirth of law-making and law-preserving violence. *Entsetzung* stands for this other violence – a violence to end all violence. In its more 'inconspicuous' manifestations,<sup>63</sup> it over-

laps with another overdetermined term in Benjamin's vocabulary: *Entstellung* ('distortion', 'displacement'). The latter exposes the *existing Entstellung* of Creation and prefigures its falling (back) *into* place beyond the rule of law. It is emblemized by the distorted figure of the little hunchback, who masterfully displaces – and 'sacrifices' – pieces on the chessboard. The Messiah 'will not wish to change the world by violence', the Kafka essay claims, but will merely make a slight adjustment to it' (*nur um ein Geringes sie zurechtstellen*).<sup>64</sup> He will thereby achieve what all the King's horses and all the King's men could not.

This 'other' violence was surely not present in the actions of the RAF, successful though they were in bringing out the structural violence of the ruling system; or if it was, it was distorted beyond recognition. Elements of the messianic world, the young Benjamin claims, are deeply embedded in every present as 'the most endangered, discredited and ridiculed creations and ideas'.<sup>65</sup> Such is the little hunchback embedded in the materialist automat. Too disreputable to show himself in public nowadays, this shrunken embodiment of 'theology' marks the last (dis)appearance in Benjamin's work of the messianic anarchism that he never foreswore.

Where has it migrated meanwhile? Where is the most promising violence to be found today? Hardly in the imminent prospect of a proletarian general strike or a revolutionary overthrow of the state – though, be it noted, no lesser programme will, according to the 'Critique', suffice. Only, then, in some equivalent of the 'weak Messianic force' and the 'here and there'<sup>66</sup> respectively evoked in the 'Theses' and the 'Critique'? The latter's twofold 'somehow' (a 'somehow conceivable' solution, a 'somehow other' violence) marks a blind spot – an incapacity that it is not, as Benjamin elsewhere puts it, 'in the power [*Gewalt*] of mere thought' to resolve.<sup>67</sup> Nor, it may in retrospect be added, does the solution lie in the power of mere action.

The RAF did not put Benjamin's politics into practice or to the test; it parodied, and thereby further discredited, them; in the terms of his 'Critique', it perpetrated *mythical* in the name of *revolutionary* violence. But this judgement, valid though it is, is easily confused with the verdict of the law. To pronounce it is, furthermore, to risk posing as the self-appointed guardian of a backstairs shrine dedicated to the Purest Flame; and this too is a parody of what is needed. To indict the RAF in Benjamin's name is, above all, to leave untouched the immense task that that motley bunch of desperados so crazily – and perhaps wickedly

– botched, but whose urgency they at least took seriously: that of a ‘world politics’<sup>68</sup> worth the name. In blindly taking at its word Benjamin’s ‘word against the law’, the RAF perpetrated a predictable fiasco. The question remains: how to take that word in a ‘somehow other’ way? How to implement it under today’s conditions, if not in the right, at least in a ‘productively false’ way? ‘Where others encounter mountains’, wrote Benjamin of the ‘destructive character’, ‘there too he sees a way’.<sup>69</sup> He is, however, an exception to the rule. His resourcefulness stands over against the ‘perplexity’<sup>70</sup> that is, according to Benjamin, the signature of the modern age.

Blanqui’s and Baudelaire’s hands are, wrote Benjamin, clasped on the stone under which the June revolution is buried.<sup>71</sup> Something analogous can probably *not* be said of Benjamin and the RAF, even in defeat. But this does not let the bystanders<sup>72</sup> – the rest of us – off.

Between the lines of the ‘Critique’ lurks a prognosis with which the present writer, for one, does not know how to disagree: if the accelerating world-historical dynamic, combined with the ongoing sleep of the collective, continues to prevent a historical subject from coming into existence, then humanity in general and in particular will, for lack of *Entsetzen*, continue to abort. ‘But once this kind of thesis has been put forward, one is already at such a remove from the concrete that it becomes embarrassing.’<sup>73</sup>

Perhaps we stand before anarchy like Kafka’s ‘man from the country’ before the law. Is it that we do not dare, or do not care, or know how to go in?

**Translated by Nick Walker and Irving Wohlfarth**

## Notes

1. No trace has survived either of ‘a very short but timely note on “Life and Violence”’ (letter to Scholem of 17 April 1920, in Walter Benjamin, *Gesammelte Briefe* [henceforth *GB*], ed. Christoph GÖdde and Henri Lonitz, Suhrkamp Verlag, Frankfurt am Main, 1995–2000, II, p. 65; English translation, *The Correspondence of Walter Benjamin 1910–1940*, trans. R. and E.M. Jacobson, University of Chicago Press, Chicago, 1994, p. 162) or of a substantial two-part essay entitled ‘The True Politician’ and ‘The True Politics’, the second part of which was to comprise two sections, ‘Dismantling Violence’ (*Abbau der Gewalt*) and ‘Teleology without Final Goal’ (*GB*, II, p. 109; letter to Scholem of 1 December 1920; *Correspondence*, pp. 168–9). Cf. Uwe Steiner, ‘Der wahre Politiker. Walter Benjamins Begriff des Politischen’, in *Internationales Archiv für die Sozialgeschichte der deutschen Literatur*, vol. 25, no. 2, 2000, pp. 48–92.
2. Walter Benjamin, *Gesammelte Schriften* (henceforth *GS*), ed. Rolf Tiedemann and Hermann Schweppenhäuser, Suhrkamp Verlag, Frankfurt am Main, 1972–89, VI, pp. 90–103; Walter Benjamin, *Selected Writings* (henceforth *SW*), ed. Michael W. Jennings, Harvard University Press, Cambridge MA, 1999, vol. 1, pp. 288–91. Cf. the collection of essays edited by Dirk Baecker, *Kapitalismus als Religion*, Kulturverlag, Berlin, 2003.
3. ‘[T]here is a secret agreement between past generations and the present one’ (*GS*, I, 2, p. 694; ‘On the Concept of History’, Thesis II, *SW*, vol. 4, p. 390). As the neighbouring reference to a ‘secret heliotropism’ (Thesis IV) makes clear, the secret that passes between the generations is revolution. Decades earlier, Benjamin had called the circulation of God’s word through Creation a ‘secret password’ (*GS*, II, 1, p. 157; ‘On Language as Such’, *SW*, vol. 1, p. 74).
4. *GS*, V, 1, pp. 490–91; *SW*, vol. 1, p. 2.
5. The term appears twice in the ‘Critique’, once to denounce the ‘thoroughly childish anarchism’, pacifism and libertarianism that merely amount to a reactive inversion of the authoritarianism and militarism they protest against (*GS*, II, 1, p. 187; *SW*, vol. 1, p. 241), once to distinguish a ‘general’, ‘proletarian’, ‘anarchistic’ strike from a merely ‘political’, ‘law-positing’ (*rechtsetzend*) one (*GS*, II, 1, p. 194; *SW*, vol. 1, p. 246).
6. Benjamin coins this expression in a letter to Gretel Adorno in anticipation of the reception that his ‘Theses’ will receive if published in their present unfinished form (*GS*, I, 3, p. 1227).
7. Cf. *GS*, I, 2, p. 660; ‘Central Park’, *SW*, vol. 4, p. 164.
8. Werner Hamacher, ‘Affirmative, Strike’, *Cardozo Law Review*, vol. 13, no. 4, December 1991, reprinted in A. Benjamin and P. Osborne, eds, *Walter Benjamin’s Philosophy: Destruction and Experience*, Routledge, London, 1994; Giorgio Agamben, *Homo sacer: Sovereign Power and Bare Life*, trans. D. Heller-Roazen, Stanford University Press, Stanford, 1998, and *State of Exception*, trans. K. Attell, University of Chicago Press, Chicago, 2005.
9. *GS*, II, 1, p. 202; ‘Critique’, in *SW*, vol. 1, p. 251–2.
10. *GS*, I, 2, p. 697; ‘On the Concept of History’, Thesis VIII, *SW*, vol. 4, p. 392.
11. *GS*, I, 3, p. 1243 (notes and materials for ‘On the Concept of History’).
12. *GS*, I, 2, 694; ‘On the Concept of History’, Thesis II, in *SW*, vol. 4, p. 390.
13. *GS*, I, 2, p. 695; Thesis IV, in *SW*, vol. 4, p. 390.
14. *GS*, III, p. 259; ‘Against a Masterpiece’, in *SW*, vol. 2, p. 383.
15. Jacques Derrida, ‘Force of Law: The “Mystical Foundation of Authority”’, in *Deconstruction and the Possibility of Justice*, ed. D. Cornell, M. Rosenfeld and D.G. Carlson, Routledge, London and New York, 1992, pp. 3–67. Cf. also the essay collection edited by Anselm Haverkamp, *Gewalt und Gerechtigkeit. Derrida–Benjamin*, Suhrkamp Verlag, Frankfurt am Main, 1994.
16. Cf. Burkhardt Lindner, ‘Derrida. Benjamin. Holocaust. Zur politischen Problematik der “Kritik der Gewalt”’, *Zeitschrift für Kritische Theorie*, vol. 3, no. 5, 1997, pp. 65–100. It is not a foregone conclusion that Benjamin’s model of ‘pure’ revolutionary violence can indeed be shown to be potentially or dangerously ambiguous. But surely whatever evidence there might be for this would more likely be found in the RAF’s ‘armed struggle’ than in the Nazi gas chambers. Derrida might have countered that all three form part of a knotted intertext. All the more reason, the answer would be, to prevent it from becoming a seamless *Schuldzusammenhang*, a *nuît et brouillard* in which all texts are similarly guilty. A more

- 'prudent', 'vigilant' enquiry is needed, to cite Derrida's own terms, if interpretive justice is to be more than summary. This it admittedly always is – but always more or less.
17. The word *Entsetzung* is a legal term signifying the removal of an occupant from a post, an illegally occupied (*besetzt*) property (*Besitz*) or fortification. The notion is itself expropriated at the end of Benjamin's essay (*GS*, II, 1, p. 202; *SW*, vol. 1, p. 251, there translated as 'suspension'), where it now suddenly means *the removal of the law itself from its age-old bastions*. A quiet *coup d'état* is taking place: *Entsetzung* (qua 'removal') is unencumbered by emotion, even though *Entsetzen* (qua 'horror') is not far away. Around the same time, Benjamin had sought to 'liberate two ancient words, *fate* and *character*, from terminological enslavement and recapture their original life in the spirit of the German language' (*Correspondence*, p. 229). In the *Critique*, *Entsetzung* is in turn freed from, and turned against, the law. *Setzen* ('to pose', 'posit', 'institute') is cognate with *sitzen* ('to sit') and *besitzen* ('to possess'): the German language would thus support the anarchist claim that whatever is instituted gets ontologized as right, seat, possession, law (*Gesetz*). Brushed against the grain, *Entsetzung* has here become a synonym for dispossession, unseating, delegitimation, de-ontologization. 'Sitting' in judgement at the 'seat' of power is replaced by a 'standing' justice akin to that of a court martial (*Standgericht*). Benjamin's summary redefinition of *Entsetzung* is a case in point and thus illustrates itself.
  18. Derrida's essay is an exception inasmuch as it resists *any* attempt to cite our necessary and legitimate dissatisfaction with its injustices as a reason for writing the law off.
  19. *GS*, II, 1, p. 219; 'Experience and Poverty', in *SW*, vol. 2, p. 735.
  20. *GS*, II, 1, p. 203; 'Theologico-Political Fragment', in *SW*, vol. 3, p. 305.
  21. *GS*, II, 1, pp. 193–4; 'Critique', in *SW*, vol. 1, p. 246.
  22. *GS*, II, 1, p. 198; *SW*, vol. 1, p. 249.
  23. *GS*, II, 1, p. 192; 'Critique', in *SW*, vol. 1, p. 245. In 1916 the same term – *Erschütterung* – had designated the Fall of language (*GS*, II, 1, p. 154; 'On Language as Such', in *SW*, vol. 1, p. 72). In 1935 it will refer to the coming collapse of the 'commodity economy' (*GS*, V, I, p. 59; 'Paris, Capital of the Nineteenth Century', in *SW*, vol. 3, p. 44).
  24. *GS*, II, 1, p. 183; 'Critique', in *SW*, vol. 1, p. 239. Here Benjamin is tacitly referring to Max Weber's canonic definition of the modern state as 'a form of authority which (successfully) claims for itself the monopoly of legitimate physical force [*Gewaltsamkeit*]' ('Politik als Beruf', in Max Weber, *Gesamtausgabe*, ed. W. Mommsen and W. Schluchter, vol. 7, pp. 158–9; English translation 'Politics as a Vocation', in *From Max Weber: Essays in Sociology*, ed. H.H. Gerth and C.W. Mills, Routledge, London and New York 1970, p. 78). But he is citing it against itself, as he will Carl Schmitt's definition of the 'state of emergency' in the *Theses*, on behalf of a diametrically opposite political vocation. What Weber describes in allegedly value-free terms as an inexorable world-historical process of 'rationalisation' Benjamin diagnoses, like and unlike Nietzsche, as a collective pathology. The differences emerge even more clearly from the following passage: 'The increasing satisfaction and expansion of the market is therefore also paralleled (1) by that monopolisation of the legitimate use of physical force on the part of the political community which culminates in the modern concept of the state as the source of all legitimate use of physical force, and (2) by that rationalisation of the rules for the application of such force which culminates in the concept of the legitimate legal order' (*Wirtschaft und Gesellschaft*, vol. 22–1, p. 215). It is against the state's monopoly of legitimate force and its rationalization of the rules governing its application that Benjamin's affirmation of 'pure' violence and 'pure' means is aimed. Hence his critique of legal traditions based on positive and natural law, both of which operate within the framework of rationalized means-ends relationships.
  25. *Wirtschaft und Gesellschaft*, vol. 22–1, p. 215.
  26. 'Le monde va finir...', Charles Baudelaire, *Œuvres Complètes* (henceforth *OC*), ed. Y.-G. le Dantec, Gallimard, Paris, 1968, pp. 1262–5. Bloodthirsty revolutions and utopias figure here as a part of this unending end.
  27. 'That things "go on this way" is the catastrophe. It isn't about to happen [*das jeweils Bevorstehende*], it is forever happening [*das jeweils Gegebene*]' (*GS*, I, 2, p. 683; in *SW*, vol. 4, pp. 184–5).
  28. 'Bewusstmachende oder rettende Kritik', in *Zur Aktualität Walter Benjamins*, ed. S. Unseld, Suhrkamp Verlag, Frankfurt am Main, 1973, pp. 175–6; English translation, 'Walter Benjamin: Consciousness-Raising or Rescuing "Critique"', in G. Smith, ed., *On Walter Benjamin: Critical Essays and Reflections*, MIT Press, Cambridge MA, 1988, pp. 91–2.
  29. Cf. Benjamin's note on 'readability' as the fleeting, 'dangerous', 'critical' chance of a given historical conjuncture, *GS*, V, 1, pp. 577–8 nn 3, 1.
  30. *GS*, V, 1, pp. 189, 207; 'Consciousness-Raising', pp. 126, 114.
  31. *Ibid.*, p. 207; 'Consciousness-Raising', p. 113.
  32. *GB*, IV, p. 24, letter to Scholem of 17 April 1931; *Correspondence*, p. 377.
  33. *Correspondence*, p. 301.
  34. *Zur Aktualität*, p. 176; 'Consciousness-Raising', p. 92.
  35. *GS*, II, 1, p. 215; 'Experience and Poverty', in *SW*, vol. 2, p. 732.
  36. *GS*, II, 1, pp. 189–90; 'Critique', in *SW*, vol. 1, p. 243.
  37. *GS*, II, 1, p. 190; *SW*, vol. 1, p. 244. Especially in Germany, Benjamin adds, the most recent manifestation of such violence – presumably that of the Russian and failed German revolutions – had no impact on the various parliaments. The parallels with Carl Schmitt's book *Die geistesgeschichtliche Lage des heutigen Parlamentarismus* (*The Crisis of Parliamentary Democracy*, trans. E. Kennedy, MIT Press, Cambridge MA, 1985), which appeared two years later, have often been pointed out.
  38. *GS*, II, 1, p. 191; *SW*, vol. 1, p. 244. Here Benjamin might have cited Clausewitz's classic definition of politics as 'the continuation of war by other means' – as he elsewhere does Schmitt's account of the 'state of exception' – as the formula for existing, prehistoric politics. Whereas the *general strike*, as here described, marks an unconditional cessation of the ongoing state of affairs aimed at putting an *immediate* end to the inherent violence of the law through non-violence, the *political compromise*, like the *legal contract*, mediates between parties and perpetuates the threat of violence by the very manner in which it blocks it. Such mediation is immediate only in a problematic sense. 'Pure means' do not further 'immediate', face-to-face resolutions of

- conflict but ‘mediate’ ones by way of things (ibid.).
39. *GS*, II, 1, pp. 203–4; ‘Theologico-Political Fragment’, in *SW*, vol. 3, pp. 305–6.
  40. *GS*, II, 1, pp. 183, 197; ‘Critique’, in *SW*, vol. 1, pp. 239, 248.
  41. *GS*, II, 1, pp. 191–2, 195; *SW*, vol. 1, pp. 244–5, 247.
  42. *GS*, II, 1, p. 187; *SW*, vol. 1, p. 241. One year earlier Lenin had written a pamphlet entitled ‘Left-Wing Communism, an Infantile Disorder’. Benjamin, for his part, here denounces a ‘childish’ anarchism on behalf of one which Communism cannot do without. The combination of the two points beyond the present pre-historic infancy of mankind and its oppositions between childish/infantile/minor and adult/enlightened/of age. Cf. Benjamin’s letter of 29 May 1926 in which Communist methods are preferred to ‘useless’ anarchist ones and anarchism serves conversely as a corrective to the ‘nonsense’ of Communist goals – there being ‘no meaningfully political goals’ (*Correspondence*, p. 301). The anarchic *Entsetzung* of such goals coincides with the freeing of ‘pure means’ from the endless concatenation – in Nietzschean terms, the slave mentality – of means and ends that we call the ‘chain of events’ (*GS*, I, 2, 697; ‘On the Concept of History’, in *SW*, vol. 4, p. 392).
  43. *GS*, II, 1, p. 196; ‘Critique’, in *SW*, vol. 1, p. 247.
  44. Ibid.
  45. *GS*, II, 1, p. 154; ‘On Language as Such’, in *SW*, vol. 1, pp. 71–2.
  46. *GS*, II, 1, pp. 199–200; ‘Critique’, in *SW*, vol. 1, pp. 249–50.
  47. *GS*, I, 1, pp. 199, 203; ‘Critique’, in *SW*, vol. 1, pp. 250, 252.
  48. Benjamin’s ‘Critique’ reserves the notions of ‘undecidability’ and ‘ambiguity’ for the ‘mythic’ sphere of the law (*GS*, II, 1, pp. 196, 198; *SW*, vol. 1, pp. 247, 249), to which he opposes the unambiguous clarity of ‘divine’ and, by extension, revolutionary justice. It is, however, ‘less possible’, but also ‘less urgent’, to ‘decide when pure violence was real in a particular case’; only mythical, not divine, violence is ascertainable as such, ‘unless it be in incomparable effects’ (*GS*, II, 1, pp. 203, 252). Benjamin’s whole inquiry is nevertheless based on distinction (*Unterscheidung*) and decision (*Entscheidung*). Cf. *GS*, II, 1, pp. 179, 202; *SW*, vol. 1, pp. 236, 251. Derrida, on the other hand, denies the very possibility of cleanly separating pure revolutionary and impure mythical realms, arguing that the dichotomy between law and justice inevitably ‘deconstructs itself’ (‘Force of Law’, pp. 68 ff.). All such distinctions and decisions turn out, he claims, to be ‘undecidable’. In this instance, however, his supporting demonstration is hasty and only partially convincing. What is finally difficult to decide is whether the notion of *Entsetzung* entails its own deconstruction (as Derrida elsewhere shows the notions of *pharmakos* or *supplément* to do in canonic texts of Plato and Rousseau) or whether it represents another type of deconstruction (*Abbau*). A parallel suggests itself here with the ‘double strategy’ outlined by Derrida in *Positions* (Minuit, Paris, 1974; University of Chicago Press, Chicago 1982): the necessity of both affirming positions/oppositions and of undoing them. A joint communiqué between Benjamin and Derrida might read as follows. The force needed to depose the old order will not begin to ‘disenforce’ its mythic violence by simply reaffirming the old logic of posing and opposing (*Setzung/Entgegensetzung*).
  49. *GS*, II, 1, p. 200; ‘Critique’, in *SW*, vol. 1, p. 250. Cf. also *GS*, II, 1, p. 182; *SW*, vol. 1, p. 238.
  50. *GS*, II, 1, pp. 200–201; ‘Critique’, in *SW*, vol. 1, p. 250.
  51. *GS*, IV, 1, p. 138; *One-Way Street*, in *SW*, vol. 1, p. 481.
  52. *GS*, II, 1, p. 200; ‘Critique’, in *SW*, vol. 1, p. 250.
  53. According to the ‘Critique’, natural law, which ‘sees in the use of violent means to just ends no more a problem than does a man in the “right” to move his body towards a desired goal’, served as the ideological basis for the terrorism that emerged under the French Revolution (*GS*, II, 1, p. 180; ‘Critique’, in *SW*, vol. 1, p. 236). The only case of terrorism to be mentioned in this essay is thus one of impure, ‘naturalized’ violence.
  54. *GS*, II, 1, p. 155; ‘On Language as Such’, in *SW*, vol. 1, p. 73.
  55. *GS*, II, 1, p. 202; ‘Critique’, in *SW*, vol. 1, p. 251.
  56. *GS*, II, 1, p. 149; ‘On Language as Such’, in *SW*, vol. 1, p. 71.
  57. *GS*, II, 1, p. 153; *SW*, vol. 1, p. 68.
  58. Cf. *GS*, V, I, p. 588 nn 7a, 7.
  59. Cf. Gianni Vattimo, *Il pensiero debole*, Feltrinelli, Milan, 1983, and Giorgio Agamben’s Pauline reinterpretation of Benjamin’s ‘weak Messianic power’, in *The Time that Remains: A Commentary on the Letter to the Romans*, trans. P. Daley, Stanford University Press, Stanford, 2005. The recent philosophical interest of Agamben and others in Melville’s ‘Bartleby, the Scrivener’ points in the same direction.
  60. *GS*, II, 1, p. 179; ‘Critique’, in *SW*, vol. 1, p. 236.
  61. *GS*, II, 1, p. 180; *SW*, vol. 1, pp. 236–7.
  62. *GS*, II, 1, p. 196; *SW*, vol. 1, p. 247.
  63. The ‘destructive character’ clears ways ‘not always with brute, sometimes with refined force’ (*GS*, IV, I, p. 398; *SW*, vol. 2, p. 542). Force (*Gewalt*), however, it remains.
  64. *GS*, II, 2, p. 432; ‘Franz Kafka’, in *SW*, vol. 2, p. 811. Two far-flung, but equally violent/non-violent, ways of ‘deposing’ the law may be cited here: the strike as a collective messianic ‘cessation [*Stillstellung*] of happening’ (*GS*, I, 2, p. 703; ‘On the Concept of History’, in *SW*, vol. 4, p. 396) and the act, if it still is one, of *having ceased* activity. ‘The law that is no longer practiced and merely studied’, writes Benjamin of Kafka’s ‘New Advocate’, ‘is the gate to justice’ (*GS*, II, 2, 437; ‘Franz Kafka’, in *SW*, vol. 2, p. 815). The only violence that study does is to the violence of the law; but this violation is the gravest. Already treating the law as a thing of the past, it quietly takes its and other texts apart and prefigures a possible future.
  65. *GS*, II, 1, p. 75; *Das Leben der Studenten*, in *SW*, vol. 1, p. 37.
  66. *GS*, II, 1, p. 202; ‘Critique’, in *SW*, vol. 1, p. 252.
  67. *GS*, I, 1, p. 207.
  68. *GS*, II, 1, p. 204; ‘Theologico-Political Fragment’, in *SW*, vol. 3, p. 306.
  69. *GS*, IV, 1, p. 398; *SW*, vol. 2, p. 542.
  70. *GS*, II, 2, p. 455; ‘The Storyteller’, in *SW*, vol. 3, p. 155.
  71. *GS*, I, 2, p. 604; ‘The Paris of the Second Empire in Baudelaire’, in *SW*, vol. 4, p. 63.
  72. Cf. on this category Raul Hilberg, *Perpetrators, Victims, Bystanders: The Jewish Catastrophe 1933–1945*, Aaron Asher Books, New York, 1992.
  73. Letter of 29 May, 1926; *Correspondence*, p. 301.