



UB-INNSBRUCK  
FAKULTÄTSBIBLIOTHEK  
THEOLOGIE



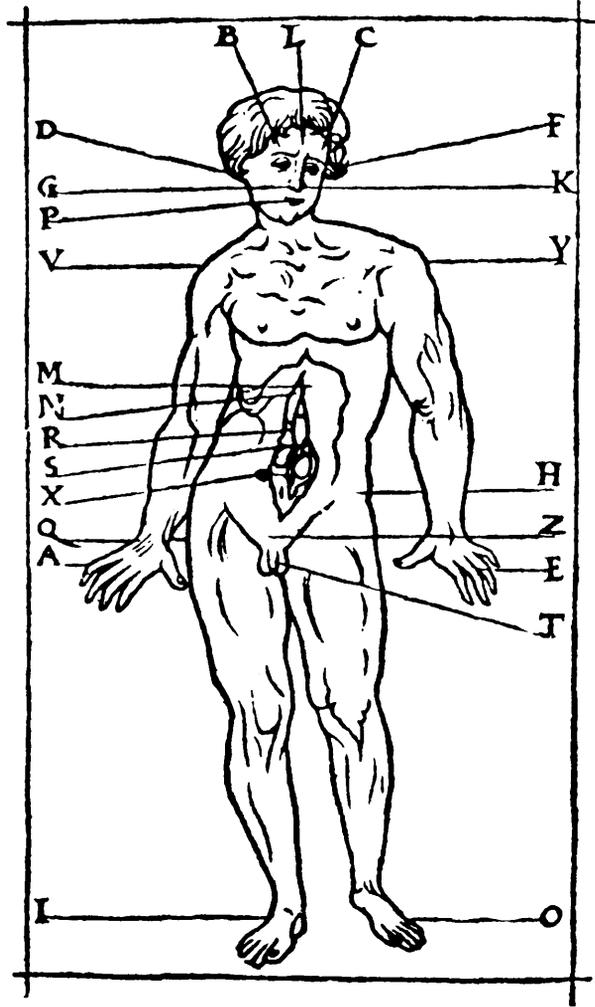
Z3

100 007

# CONTAGION

JOURNAL OF VIOLENCE, MIMESIS, AND CULTURE

L'HOMME LETRE.



VOLUME 7

SPRING

2000

ERNESTLANGT  
FAKULTÄTSBIBLIOTHEK

24. Nov. 2000

KATHOLISCH-THEOLOGISCHE FAKULTÄT  
DER UNIVERSITÄT INNSBRUCK

EDITOR

ANDREW MCKENNA  
LOYOLA UNIVERSITY OF CHICAGO

ADVISORY EDITORS

JENÉ GIRARD, STANFORD UNIVERSITY  
MUND SCHWAGER, UNIVERSITÄT INNSBRUCK  
JAMES WILLIAMS, SYRACUSE UNIVERSITY

EDITORIAL BOARD

REBECCA ADAMS  
UNIVERSITY OF NOTRE DAME

MARK ANSPACH  
ÉCOLE POLYTECHNIQUE, PARIS

CESÁREO BANDERA  
UNIVERSITY OF NORTH CAROLINA

DIANA CULBERTSON  
KENT STATE UNIVERSITY

JEAN-PIERRE DUPUY  
STANFORD UNIVERSITY, ÉCOLE POLYTECHNIQUE

PAUL DUMOUCHEL  
UNIVERSITÉ DU QUÉBEC À MONTRÉAL

ERIC GANS  
UNIVERSITY OF CALIFORNIA, LOS ANGELES

SANDOR GOODHART  
WHITMAN COLLEGE

ROBERT HAMERTON-KELLY  
STANFORD UNIVERSITY

HANS JENSEN  
AARHUS UNIVERSITY, DENMARK

MARK JUERGENSMEYER  
UNIVERSITY OF CALIFORNIA,  
SANTA BARBARA

CHERYL KIRK-DUGGAN  
MEREDITH COLLEGE

PAISLEY LIVINGSTON  
MCGILL UNIVERSITY

CHARLES MABEE  
ECUMENICAL THEOLOGICAL SEMINARY,  
DETROIT

JOZEF NIEWIADOMSKI  
THEOLOGISCHE HOCHSCHULE, LINZ

SUSAN NOWAK  
SYRACUSE UNIVERSITY

WOLFGANG PALAVER  
UNIVERSITÄT INNSBRUCK

MARTHA REINEKE  
UNIVERSITY OF NORTHERN IOWA

TOBIN SIEBERS  
UNIVERSITY OF MICHIGAN

THEE SMITH  
EMORY UNIVERSITY

MARK WALLACE  
SWARTHMORE COLLEGE

EUGENE WEBB  
UNIVERSITY OF WASHINGTON

Rates for the annual issue of *Contagion* are: individuals \$10.00; institutions \$32. The editors invite submission of manuscripts dealing with the theory or practical application of the mimetic model in anthropology, economics, literature, philosophy, psychology, religion, sociology, and cultural studies. Essays should conform to the conventions of *The Chicago Manual of Style* and should not exceed a length of 7,500 words including notes and bibliography. Accepted manuscripts will require final submission on disk written with an IBM compatible program. Please address correspondence to Andrew McKenna, Department of Modern Languages and Literatures, Loyola University, Chicago, IL 60626. Tel: 773-508-2850; Fax: 773-508-3514; Email: amckenn@orion.it.luc.edu.

Member of the Council of Editors of Learned Journals CELJ  
© 1996 Colloquium on Violence and Religion at Stanford  
ISSN 1075-7201

Cover illustration: Geoffroy Tory, *Champ fleury* (1529)

# CONTENTS

Volume 7  
(Spring) 2000

The Origin of Language: Violence Deferred or Violence Denied .....	1
<i>Eric Gans</i>	
Abortion as a Sacrament: Mimetic Desire and Sacrifice in Sexual Politics .....	18
<i>Bernadette Waterman Ward</i>	
Human Nature and Politics: A Mimetic Reading of Crisis and Conflict in the Work of Machiavelli .....	36
<i>Harald Wydra</i>	
<i>Seneca Falls Inheritance</i> : Disentangling Women, Legislation and Violence in Monfredo's Fiction .....	58
<i>Rosemary Erickson Johnsen</i>	
The Role of an Ultimate Authority in Restorative Justice: A Girardian Analysis .....	79
<i>Sara Osborne</i>	
Spluttering Up to the Beach to Ninevah .....	108
<i>James Alison</i>	
What Voegelin Missed in the Gospel .....	125
<i>John J. Ranieri</i>	
<i>Notes on Contributors</i> .....	160

UB INNSBRUCK



C84007700

---

## Editor's Note

*As has been past practice, the editors of **Contagion** continue to select for referee process papers from the annual meeting of the Colloquium on Violence and Religion. The theme of the 1999 meeting at Emory University in Atlanta was *Mimesis: From Primates to Humans*, and some of the contributions on that topic, and from the breakout sections on other topics, have been revised for publication here. But, as other essays contained herein indicate, we also continue to welcome manuscripts from authors in all academic disciplines and fields of professional activity which bear on René Girard's mimetic model of human behavior and cultural organization. Future volumes will also include a section for Notes and Comments, allowing for responses to previous essays and discussion of texts and issues related to interests of the journal.*

*We wish again to express our thanks to Loyola's Center for Instructional Design for its generous assistance. Special thanks are once again due to Patricia Clemente, Administrative Secretary of the Department of Modern Languages and Literatures at Loyola, for her resourceful vigilance in seeing the journal through to its timely production.*

# THE ORIGIN OF LANGUAGE: VIOLENCE DEFERRED OR VIOLENCE DENIED?

Eric Gans

*University of California—Los Angeles*

Recently I was asked to review applicants at UCLA for a postdoctoral fellowship. The competition was based, along with the usual CV and recommendation letters, on a project proposal relevant to this year's topic: the sacred. There were some sixty applicants working in the modern period since 1800; these new PhD's included literary scholars, philosophers, historians, a few anthropologists, even a musicologist. I was taken aback to discover that not a single one of these projects made reference to the name or ideas of René Girard. When I remarked on this to the director of the program, a professor of English with a solid background in philosophy and literary theory, he offered the explanation that these ideas had had a vogue twenty years ago, but were no longer in fashion today.

However exaggerated and shortsighted it may be, I take this judgment on the part of an astute and reasonably unbiased observer as a call to action. Like it or not, the academic world, the university, is the center of American intellectual life. The ideas that motivate COV&R emerged from the university and, however powerful they may become and remain outside it, it is important for their survival that they retain their visibility within it. Thus it is important that we put aside any differences that may divide us in the pursuit of this goal that I know we all share. I will return to this point at the end of my talk.

What is the origin of language? This question is not only one of formulating hypotheses about the origin, but of deciding what it is that we mean by the question itself. Recent advances in neuroscience, cognitive

science, speech physiology, paleontology, primatology, linguistics, and related fields make this question both easier and harder to answer than when I wrote *The Origin of Language* over twenty years ago.

I can say at the outset that nothing I have learned in the course of my research dissuades me as a humanist from venturing into an area in which the dominant voices are no longer those of linguists and prehistorians, but those of neuroscientists. As they have always done, scientific advances permit those concerned with the human, "anthropologists" in the broadest sense of the term, to redraw the boundaries of the domain within which anthropological reflection truly belongs. This position is not one widely held by the scientists themselves, who generally share an Enlightenment view for which all thinking not subject to scientific method, particularly that of religion, is a primitive survival condemned to, and deserving of, the fate of alchemy and Aristotelian cosmology. In this view, my—I think I can say, "our"—kind of anthropology is not a respectable field of inquiry at all. The hypothetical attribution of an originary function to an event or scene considered memorable in itself is not-yet-understood as a necessary methodological tool in the human sciences. Yet a scientific method expanded to include events would not have to put religion within brackets as an expression of the irrational or explain it by an ad hoc theory of psychological expediency, but would begin to integrate within itself the understanding of the human that it has been the historical function of religion to provide.

I do not think we need accept the Enlightenment vision of history as the story of the continued advance of science into domains progressively vacated by unscientific thought. No doubt we no longer rely on religion to supply the basis for cosmology or for natural science in general. And as our knowledge of the brain continues to progress, it may no longer be necessary to rely on metaphysical philosophy in order to understand the processes of language and thought. But human culture is not centrally concerned with natural phenomena or even with logic or linguistic structure. It is concerned with the regulation of human interaction, with ethics, and however much science can help provide ethical thought with options, it can never usurp its central cultural function.

This last point is usually expressed by the old saw that you can't get to "ought" from "is." Science tells us how it is, not how it ought to be. I have no quarrel with this formulation as a practical rule of thumb. But its simple dichotomy oversimplifies human reality and encourages a certain complacency on both sides. It goes hand in hand with the relegation of religion to a shallow notion of "faith"—generally combined with the familiar

platitude about religion's value in maintaining morality. What must be understood is rather how this dichotomy came about in the first place, and how it is linked to the human possession of language. How is it that the same creatures who alone are capable of scientific thought are also alone capable of—some would say, culpable of—forms of thinking that cannot be reduced to scientific thought? Why, in a word, is the origin of language also the origin of the sacred? The failure of the scientists of this past century even to ask this question, let alone to answer it, is all the proof we need that anthropological thinking in the sense that you and I understand it, what I call "originary thinking," has a central and irreplaceable role to play in the ongoing effort to understand human origins.

What then is the origin of language? The question may be split into two parts, each of which has evoked in the scientific discourse of recent years a very different kind of response. We may call them the hard originary part and the less hard (but not easy) prehistoric part. The first, hard, part of the question addresses what I myself have always taken for essential: the moment, whether or not drawn out in actual time, of the emergence of language from non-language, which is also to my mind the moment of the emergence of the human from the non-human. The second, easier, part is concerned with reconstructing the intermediate stages between this origin and language as we know it. The second part of the question has generated a vast amount of research over the past two decades. As a result, our understanding of the parameters that define the physical and mental capacity for human language and their possible emergence in the course of primate evolution has become ever more precise. I will share some of these results with you in a moment. But on the hard part of the question that I attempted to address in *The Origin of Language*, that of the specific motivation and occasion of the origin of language and the human, there is a near-silence that grows in embarrassment in proportion to the anthropological intuition and semiotic sophistication of the writer. This is, in a way, a form of progress. Only the naïve or retrograde still dismiss the importance of this question, as was common a generation ago, by proposing that human language emerged over a long period of time through the gradual improvement of primate communication systems. As our understanding of the underlying neurological means by which language evolves, is learned, and is transmitted becomes more precise, and as, accordingly, its radical difference from all other forms of animal communication is appreciated, the source of what one writer calls the "magic moment" in which language began becomes all the more mysterious. I will speak to you later of a partial exception to this rule: a scholar whose solution to this enigma, as we shall see, strongly resembles

that proposed in *The Origin of Language*, although it stops before reaching the unique scene of origin postulated by the "originary hypothesis" on the basis of the theory of mimetic desire.

How then should we envisage this unique scene? The difference between human language and animal communication is most simply defined by what Fernand de Saussure called the "arbitrariness of the signifier," the fact that the word "cow" has no resemblance to a cow. This arbitrariness affects even signs born from natural perception: Saussure cites the word "pigeon," whose onomatopoeic origin in the Latin *pipio* has been forgotten. The reason why signs become arbitrary even when they once were not is that, in contrast with animal signals, signs subsist not in the real world but in a language-world that lies "above" the real world and in which it can be represented. We may symbolize this difference by saying that the signal relates to its object "horizontally," whereas the sign relates to it "vertically."

What makes the origin of language of particular interest to us is that the generation of the vertical signification of language from the horizontal, appetitive relationships of the real world may be described in terms of the Girardian triangle of mimetic desire. Normally we imitate each other's appetitive acts by performing the same action on a different object: when I see you pick an apple, I pick an apple of my own. But since mimetic desire makes me suspect that your apple was better than mine, my gesture and yours are destined to converge one day on the same object. At this point, mimesis is blocked; the appropriative gesture is aborted. The only way to avoid destructive violence is to refocus our attention from the human model to the object toward which his gesture points. Although this unique object of desire cannot itself be reproduced, it may be represented by a reproducible sign of human language. Hence, in the terms of Generative Anthropology, the "aborted gesture of appropriation" becomes the originary sign.

But although the mimetic triangle contains all the elements necessary for the emergence of the sign, language as the foundation of the human community must have arisen in a collective event where mimetic tension is intensified by the multiplicity of the participants. The object desired by all members of the group—say, the carcass of a large animal brought down by a hunting party—becomes the center of a circle surrounded by peripheral individuals who act as the mediators of each other's desire. The originary sign provides the solution to or, more precisely, the deferral of a "mimetic crisis" in which the group's very existence is menaced by the potential violence of rivalry over the central object. The emission of the first sign is the founding event of the human community.

How is this hypothetical scene to be situated in the course of biological evolution? Over the years my thinking on this subject has evolved; or perhaps I should say: has been purified. When I wrote *The Origin of Language*, I was uniquely concerned to develop the consequences of the hypothesis that language originated in a self-conscious event or scene. Thus I made no reference to the specific historical circumstances or even to the geological era in which such an event might have taken place. From the perspective of an empirical scientist, this would have been inconceivable, but I considered it the humanist's duty to develop the logical consequences of the idea of the human as the possessor of language independently of the vagaries of empirical data. I sought to construct a hypothesis limited by Ockham's razor to the minimal conditions of the emergence of the human. I might add that, at the time, over twenty years ago, scholars were far less in agreement than they are today about the moment of prehuman evolution at which language first appeared; among the tentative time-frames proposed, I simply chose not to choose.

There were then and, for the moment at least, still are two views of the time at which language originated; we may call them the "early" and "late" hypotheses. The dominant early hypothesis is that language in some form, what some writers call "symbolic" activity and I prefer to call "representation," appeared at the same time as the genus *Homo*, whose emergence from *Australopithecus* around two million years ago coincides with the first evidence of stone tools—the so-called Oldowan technology. In this hypothesis, the increase in brain size from *Homo habilis* through *Homo erectus* to the Neanderthals and *Homo sapiens* was itself the product of language.

The late hypothesis, which still has a few supporters today, was constructed to explain the contrast between what appeared to be extreme technological stagnation over some two million years of tool-making and the "take-off" of about 50,000 years ago that produced more sophisticated technologies, cave art, evidence of ritual burials, and eventually the Neolithic invention of agriculture that in ten or twelve thousand short years made us what we are today. More than tool technology, it is the appearance at this time of the first indubitable signs of "culture"—that is, ritual, religious culture—that gave this hypothesis its plausibility.

With respect to the choice between the early and late hypotheses, I admit to having displayed a mild degree of what psychologists call "dissociation." I was far more concerned to defend the single origin of humanity against the once-popular multiple-origin hypothesis than to decide at what moment this single origin might have taken place. By not choosing between early or late

language origin, I was able to retain features of each without really reflecting on their incompatibility.

The early hypothesis seemed dictated by simple logic. According to the late hypothesis, the first speakers were the so-called Cro-Magnons, *Homo sapiens* genetically identical with ourselves. The late hypothesis could therefore be maintained only if one assumed that our modern brain and speech-production apparatus could have evolved independently of language. In this case, language would arise as what Stephen Gould calls an "exaptation," a mere accidental byproduct of the interaction between cognitive evolution and pre-linguistic communication systems. (Chomskian linguists are fond of this position because it seems to justify their idea of a "language module" evolving independently of any overt human behavior.) In contrast, the originary hypothesis presupposed that language as the first human act would arise among creatures with no prior brain and vocal tract adaptations and would itself drive their acquisition of these adaptations. This is the logic of all evolutionary modifications; the first ancestor of the whale to take to the ocean would not have had fins designed in advance for this contingency.

Yet, despite all this, I was attracted to the late hypothesis because it seemed to solidify the link between language and ritual culture that my own perspective emphasized. In this regard, the (perhaps exaggerated) technological stagnation and absence of evidence of "symbolic" cultural activity in early *Homo*—one writer wondered what such creatures could possibly find to talk about—seemed convincing arguments. Mere stone tools were no proof of language, especially after it was realized that the intricate, lozenge-shaped flint "choppers" were not products of refined craftsmanship but cores left behind after the simple blades were chipped off. Since the paleontologists didn't find it absurd that all our physical and presumably even our mental evolution could take place before we acquired language, I accepted the possibility as a real one.

A possible cure for my dissociation was the compromise hypothesis proposed by Derek Bickerton, one of the major figures in the study of language origin. Bickerton is best known for his 1981 book, *The Roots of Language*, where he proposes that the universal basic syntax of "creoles"—languages that arise when crude multilingual dialects called "pidgins" come to be spoken as native languages by the children of the original speakers—demonstrates the existence of something like Chomsky's "grammar module." Bickerton's more recent *Language and Species* (1990) proposes, on the analogy of the distinction between ungrammatical pidgin and grammatical creole, both an early and a late origin for language. The

early origin, at the time of *Homo habilis*, would have involved the emergence of "symbolic reference," the linguistic sign, but not syntactic structure. Syntax, in Bickerton's view, could not have evolved gradually, since there are no examples of a language intermediate in syntactic complexity between pidgins, which he finds comparable to the utterances of young children as well as to those of apes instructed in human language, and the natural languages of today. (It is a tenet of modern linguistics that all known languages, from those of the Australian Aborigines to contemporary English, are equally "advanced" and permit in principle of reciprocal translation.) Thus the emergence of syntactically mature language as we know it, which Bickerton situates at the time of late origin around 50,000 years ago, would have reflected evolutionary developments in the brain that were realized in language all at once in some inexplicable final mutation.

Just as the child's aptitude for learning language demonstrates the existence of "something like" Chomsky's grammar module without however answering the key question of exactly how his brain is adapted to this learning process, the contrast between, on the one hand, the language of creatures whose brain was not yet specifically adapted to language, whose material cultures were apparently stable over hundreds of thousands of years, and who gave no evidence of symbolic activity, and, on the other hand, the language of people anatomically identical to ourselves, (relatively) innovative in their tool kit, and who buried their dead and drew pictures on cave walls, demonstrates that "something like" Bickerton's dichotomy must be true, but without giving evidence either for or against its dichotomous nature. The fact that no intermediate forms of language exist today is no more proof that modern syntax emerged all at once than the absence of intermediate forms between lizards and snakes proves that the latter lost their legs all at once. Even if all modern languages derive from a common ancestor spoken around 50,000 years ago, there is no need to assume that this *Ursprache* itself emerged in a single mutational leap beyond primitive pidgin-type languages. Students of sign language suggest persuasively that the link may be provided by gesture.

Today I have emerged from my dissociative state; I accept the theory of early origin and reject that of late origin. Far from presenting a threat to the originary hypothesis, early origin makes it all the more plausible. It is a failure of imagination to conceive the first language as anything like the language of today. It would be unfaithful to Ockham's razor to attribute to the originary sign anything but a minimal difference that separates human language from animal means of communication. I will go into more detail on this point in a moment, but first I want to make more explicit the

consequences of early origin for the fundamental reflection, based on the mimetic theory of desire, that I call Generative Anthropology.

The originary hypothesis is an attempt to come to grips with the most salient truth about human language: that language as we know it, the language of the sign rather than the signal, represents not a gradual development of animal communication but a radical break from it. When I wrote *The Origin of Language*, I was aware of no other researcher who took this position. Even today, most writers on the subject have not yet grasped the difficulty it poses. Bickerton and Terrence Deacon—whose ideas on the subject I will discuss shortly—are virtually alone even now in treating this radical break as a problem for evolutionary theory. But not even Deacon, and you will see how tantalizingly close he comes to the positions of Generative Anthropology, has taken the final logical step consonant with this position.

The core of the originary hypothesis is not the hunting scenario I have suggested as the scene of the origin of language but the simple affirmation that there was an event, a minimally unique scene of origin of the human defined by language. The originary hypothesis proposes that the linguistic sign, unlike all previous modes of information transfer, from the persistence of subatomic structures through the genetic code to the evolution of signal systems among mammals, depends neither on hard-wired connections nor on learned associations but on the memory of a historically specific founding event. Animals learn from the past and plan for the future, but only humans experience events. To the deconstructive critique that one cannot be "present" at human events because they are mediated by language, I would answer that it is precisely this mediation that defines them as events. The fact that events exist only insofar as they are commemorated through representation only means that the originary event is the event of the first commemoration.

All culture is scenic in the sense of evoking the tension between the desiring periphery and the desired center of a collective scene. This has been noted by a few anthropologists, notably the late Victor Turner. An isolated individual can evoke the scene in imagination only because it has already existed in public reality. Language too, as the core of the system of representations that is human culture, evokes such a public scene. And since from the first this scene was by definition memorable, the intuition of memorability inherited from this scene allows us to offer a hypothesis of its constitution consonant with our empirical knowledge on the one hand and the principle of parsimony or Ockham's razor on the other.

Since the possibility of confirmation is remote indeed, our hypothesis is fated to remain speculative. What purpose then is served by enunciating it?

We recall that the primary point of the hypothesis is not the reconstruction of the scene of origin but the postulation that there was a scene. But if this point is worthy of consideration, then our hypothetical reconstitution of the first scene will not be altogether unhelpful in articulating its various moments. For once we agree to entertain the idea that there really was a scene of the origin of language, then this origin is not simply that of language, but of human culture in general—of the sacred, in the first place, and of everything that the sacred implies: desire, resentment, sacrifice, and what might be called the three E's: ethics, economics, esthetics (spelled in the French manner without an "a"). To articulate all these categories in a single scene has been the chief goal of my writings on Generative Anthropology.

Before pursuing this argument further, I would like to make myself very clear on one point. The originary hypothesis is neither a social contract nor a variant of what the political philosopher John Rawls calls the "original position." It is not, in other words, a fictional schema but a hypothesis, a "scientific" hypothesis, if that word is useful. The difference between these two categories is less obvious than at first glance, but it is nonetheless real. Hobbes's or Rousseau's "social contract" and even Rawls's "original position" present, as the outcome of a scenic confrontation among potentially conflicting parties, ideal versions of social hierarchies that in reality evolved through various historical stages. The rationale for such patent fictions, and the reason why we take them seriously, is that we can only justify the generation of a social order involving human inequality out of what we conceive intuitively as "natural" human equality as the result of an implicit unanimous agreement to suspend this equality. But the otherwise unexplained source of our intuition of equality is precisely, according to the originary hypothesis that alone explains it, the model of the reciprocal exchange of language in the originary scene. Hence the fictive "contract" is not, as some would claim, the original of which the originary hypothesis is a copy but, on the contrary, an example of our recourse to the originary scene to provide an ethical *raison d'être* for the structure of the human community. But whereas hierarchical or indirectly egalitarian structures may be justified by social contract scenes that have no pretensions at reflecting an even hypothetical reality, the originary hypothesis describes an egalitarian scene that is as close as we can make it to "what really happened."

Taking a position for the early origin of language sharpens the radical implications of the originary hypothesis that were mitigated by leaving the moment of origin indeterminate. The originary scene of which we speak must be the origin not just of language but of all the fundamental categories

of the human. If we are permitted to retain in our imagination the images of our Cro-Magnon ancestors hunting mammoth, burying their dead, and creating cave-paintings, statuettes, and carved bone tools, it becomes much easier to conceive a scene of origin in which all the categories of human culture have their common root. If, on the contrary, we reject any such imagery and accept that the first moment of language must have taken place among creatures not yet adapted to it in either brain nor behavior, who looked and behaved more like bipedal apes than humans, whose very first "word" may well have been a gesture lacking any phonic component, then we are forced to face up to just how radical our hypothesis really is. But far from putting the entire enterprise in doubt, the striking rapprochement between this minimal formulation of the originary hypothesis and the conclusions of recent scientific research make it not only plausible but even, I regret to say, almost respectable.

It is well and good that early origin forces us to abandon our Cro-Magnon imagery because this imagery hides what is most difficult to assimilate in the hypothetical scene of origin: that it is a unique occurrence in Darwinian biology, a "speciation event" that is truly an event—"punctuated equilibrium" with a vengeance! Yet this conclusion is inescapable. Those who until very recently affirmed against all logic or precedent the multiple origin of our species were merely inverting the exceptionalism of human origin that they thought they were escaping. If human monogenesis seems uncomfortably close to the Biblical creation of man, it is because the Biblical narrative expresses, in however unscientific a form, a truth of human origin that science has not yet faced up to: that it must have taken place in and as an event. The origin of the sign is the origin of a new symbolic consciousness, and this consciousness, even in its most rudimentary form, could not have emerged unconsciously.

What does it mean to say that the origin of language was a "speciation event"? Clearly the genetic constitution of the participants themselves was not modified. But from this modest but not imperceptible beginning, the creators of the new symbolic culture separated themselves off from other bands of hominids who did not have such a culture. The advantage of this culture that fashioned our ancestors into a new species was, to cite the one-sentence formula of the originary hypothesis, that culture effects "the deferral of violence through representation." There are two complementary elements in the hypothesis that scientific research has not yet assimilated: the origin of the human sign in an event, and the function of the sign as the representation of the sacred, which is, as Girard has taught us, the externalization of the human potential for self-destructive mimetic violence.

We cannot understand the one without the other. For the sign to commemorate an event as the origin of the human community, this event must be both absolutely and minimally memorable. I will speak in a moment about its minimality. But its memorability implies the absolute necessity of the event for the group's survival, which is to say, the deferral of its mimetic self-destruction and its establishment as a human community.

This does not mean that all other groups of hominids who did not create language or adopt it from those who did were destroyed by internal conflict. Because the language users, who were also culture users, had at their disposal a more stable bulwark against internal violence, they were able to acquire more potent and potentially dangerous means of violence. Such means include not only improved weaponry but more elaborate ethical structures involving differential roles protected by laws, including the marriage laws that characterize all human societies and that are often referred to in rather misleading terms either as "incest prohibitions" or as rules for the "exchange of women." Human societies governed by sacred interdictions could withstand mimetic pressures that in non-human societies would lead either to breakdown in violence or to the abandonment of communal unity. Hence over the course of generations the neo-humans would inevitably absorb, kill off, or drive away their prehuman rivals.

Understood in this manner, early origin only strengthens the originary hypothesis. The idea that the members of a society that evolved apparently little over hundreds of thousands of years would have had "nothing to talk about" is true only if we think of language as primarily a means of conveying information about the world. But if we understand it as first and foremost a means of deferring violence through the designation of a sacred mediator, then it becomes perfectly plausible that it could evolve very slowly without lacking in functionality at any stage. Ritual activity, like artistic activity, always contains information about the world, but this information is subordinate to the human order it subserves. As the brain became increasingly adapted to language, language itself could become increasingly complex both in vocabulary and in syntax. The complexity of society could not overstep the limits of the symbolic culture of which language was the formal underpinning, but the existence of such a culture would continually move natural selection in the direction of the language-culture adaptation, with more complex and efficient social orders continually driving out, killing off, or absorbing their rivals.

Nor, incidentally, does the fact that language reached maturity with the fully evolved Cro-Magnon brain imply that language since that time has remained in a steady state. This Chomskian dogma, reinforced by the fear of

appearing to acquiesce in the colonialist stigmatization of "primitive" languages, has only recently been breached. We know of no "primitive" languages; given the appropriate lexicon, all extant and historically attested languages are equally capable of expressing all thoughts. But, as Bernard Bichakjian has observed, all languages of whose historical development we are aware have evolved irreversibly from a more to a less highly inflected state (for example, from Latin to French) and, in general—this is Bichakjian's major thesis—in the direction of being assimilable by children at an increasingly early age.

What is not explained by this attractive hypothesis is, if Bickerton's creole studies demonstrate that we "naturally" adopt a subject-verb-object word-order-based syntax, and if, as Bichakjian observes, children learn this type of language more easily than any other, why the older generation of languages was so highly inflected. I would suggest that this gives credence to the idea that language was, until the relatively recent time of the cultural take-off that inspired the late origin hypothesis, designed specifically (which does not mean consciously) to be difficult for children—or adults—to learn. Vestiges of linguistic initiation rites remain in the institutions of religiously oriented language instruction in our own society—Church Latin for Catholics, Biblical Hebrew for Jews, Koranic Arabic for Moslems, not to speak of the sacrosanct Latin and Greek of Eton and Oxford. The take-off itself, rather than being attributable to our sudden acquisition of a "syntax module," is perhaps preferably explained in the inverse fashion as a product of the final liberation of language from the strict confines of the sacred and its extension to more general social usage.

The foregoing has given you an idea of the originary hypothesis and of its compatibility with the early origin of human language. In the time I have remaining, I would like to suggest how, thus situated, the hypothesis provides the key to beginning the arduous process of integrating the humanities, including religious thinking, with the social sciences.

Let me begin by saying a few words about an important book that appeared in 1997, Terrence Deacon's *The Symbolic Species*. Deacon is a neuroscientist whose presentation of the emergence of human language is founded on ongoing research into the structure and evolution of the brain; but unlike most laboratory scientists, Deacon also has a real grasp of the relevant anthropological issues. He is keenly aware of the qualitative difference between human language and animal systems, a difference that he expresses in the terms of Charles S. Peirce as that between indexical signs—those learned through association with their object, as in Pavlov's famous experiment where a dog is taught to make the ringing of a bell an

"index" of the presence of food—and the symbolic signs of language, which are, as Saussure called them, "arbitrary" because their reference to a worldly object is mediated through a sign-system in which the signs are interrelated with each other. Finally, whereas Bickerton views language and thinking strictly from the perspective of the individual speaker, even refusing Chomsky-like to define language as a mode of communication, Deacon is sensitive to language's communal nature.

Deacon's central point, that the human brain with its unusually large prefrontal cortex evolved as a result of language rather than being the cause of its emergence, is not new, although it has never before been presented in such persuasive detail. But in the domains of greatest concern to the Colloquium on Violence and Religion, Deacon's work makes a number of decisive advances. His knowledge of the brain's "Darwinian" internal structure—dictated not by a genetic blueprint but by the "survival of the fittest" synapses—frees him from the monolithic Chomskian view of syntax to which Bickerton's double-emergence theory still pays tribute. Above all, Deacon dismisses the traditional "pragmatic" scenarios for language origin and comes very close to my own originary hypothesis.

Deacon's explanation for the origin of symbolic representation begins with the dependency of proto-human societies on meat, procured by all—male hunting and scavenging parties whose activities would oblige them to be away from home for long periods of time. Under such circumstances, these societies would be highly motivated to maintain female fidelity by creating a symbolic bond of marriage as opposed to the merely "associative" bond of animal monogamy. Such symbolic reinforcement would have clearly advantageous effects on reproductive fitness, the driving force of evolution.

Deacon's reasoning, amazingly daring and subtle by the standards of the social sciences, does not lead him to propose an originary event as such. But his discussion includes many key components of such an event:

- meat-eating and sharing as essential to proto-human survival
- the difficult necessity of maintaining peace among members of the male hunting group
- the necessity that hunters refrain from eating their prey on the spot but bring it home to their mates and offspring
- the first sign as functioning to establish an ethical institution
- the collective nature of the meanings of language
- the reinforcement of symbolic reference through ritual

If we combine these six points in a scene of ritually repeated renouncement-followed-by-division, mediated by the sign, of the meat of the sacred animal/victim, we have, for all intents and purposes, the generative hypothesis of the origin of language.

Reading Deacon's book aroused in me mixed feelings. Although I was gratified to see so many elements of the hypothesis I had constructed on the basis of the theory of mimetic desire replicated by an empirical scientist who had not the least inkling of this theory, I wondered whether empirical research was now reaching the point at which it could replace humanistic thinking in the same way that modern chemistry replaced alchemy. But on reflection I realized that, on the contrary, the ever-progressing scientific work in this area provides us with what the Greeks called a *kairos*, a critical moment of opportunity for us as representatives of humanistic and/or religious thinking grounded on the mimetic theory of desire.

In the course of my university career, I have seen the practice of textual criticism by which the humanities are defined rise to become a model for the "softer" social sciences, then go into a decline that corresponds to that of the cultural category of literature itself. These developments have coincided, I think not coincidentally, with René Girard's discovery within a literary context of the paradoxical structure of human mimesis and his subsequent construction on this basis of a fundamental anthropology. Girard's insistence that the masterpieces of Western literature from the Greeks through Shakespeare, Dostoevsky, and Proust provide a sharper understanding of desire than modern "theory," notably Freudian theory, is undoubtedly justified, but it is an affirmation whose very truth contains its own closure. To announce this closure is not to affirm apocalyptically the "end of literature," but merely to observe that the literature, cinema, television and what have you of our time no longer provide us with new, as yet untheorized lessons about the fundamental nature of desire. The result is the end, not of literature, but of a certain conception of literature. Girard's revelation about mimesis is both a tribute to the power of this conception and a harbinger of its disappearance.

In this context, as the recent history of the question of the origin of language illustrates, the anthropological initiative seems fated to pass from the humanities to the social sciences. Yet humanistic thinking has, precisely on this point, a central contribution to make. Humanistic thinking is paradoxical thinking. In the heyday of the New Criticism, the highest compliment one could pay a literary work was to show it was a repository of paradoxes. I would claim that the paradox that made this text-centered criticism possible and toward which its discourse was always hinting is

nothing other than the paradoxical structure of mimesis that culture had always "known" but that was first explicitly articulated by René Girard.

Of the many consequences of mimetic paradox, the most significant is the domain of signification itself, the world of language. The originary hypothesis describes nothing other than the "resolution" of the paradox of mimesis through the deferral effected by the sign, whose substitution for its sacred, inaccessible referent is the defining gesture of humanity itself. An intellectually curious scientist like Terrence Deacon can come very close to bringing together the necessary conditions for the birth of language. But the birth scene of the linguistic or "symbolic" sign eludes him because positive, scientific discourse does not contain the category of paradox. The French thinker Jacques Derrida, who denies the very validity of the notion of an "origin of language," supplies nonetheless a necessary ingredient of our hypothesis in his "non-concept" of *différance*, which means "at the same time" (an expression itself paradoxical) deferral and differentiation. To understand the emergence of the sign is to understand the collective non-act of deferral that is "at the same time" the emission of a gesture or sound that "means" the scene and its central object because it does not, like an animal signal, call the others to action, but on the contrary, becomes a substitute for action, realizes its deferral by differentiating the members of the group from the object and from each other.

If the originary hypothesis is indeed the best explanation of the origin of language, this truth cannot remain hidden from positive science. It would be absurd to conclude that, because the roots of the originary hypothesis lie in the humanities, mimetic theory and Generative Anthropology are of interest only to humanists. On the contrary, the rapprochement between the empirical sciences and Generative Anthropology that Deacon's work appears to presage offers us a crucial opportunity to integrate the paradoxical thinking of the humanities with the positive thinking of the sciences in a mode of thought that I have no compunctions about calling, in the French fashion, "human science."

What lends substance to this conclusion is the most profoundly paradoxical consequence of the paradox of mimesis: that what I call "humanistic" thought is ultimately indistinguishable, not from scientific thought about the human, but from a way of thinking that does not appear focused on the human at all: that of religion. I entitled one of my books *Science and Faith* in an effort to stress that religion and science are not condemned to a dialogue of the deaf but constitute complementary and interacting means of understanding the human. Scientific thinking can be

carried out only under conditions of metaphysical peace; in the ethical reality of human social life, faith is what maintains the preconditions of this peace.

Although we have learned since the Renaissance that religion is not very useful for thinking about the gravitational interaction of celestial bodies, it remains indispensable for thinking about the ethical interaction of human beings. The fact that we commonly say that religion is "about God" rather than humanity reflects the structure of the originary scene, in which what we call humanity was constituted, literally, "about" God as the center of the human circle. Once it is admitted, as the logic of mimetic theory demands, that the originary sign is equivalent to the name-of-God, the science of human origin is obliged to take into itself as a hypothesis—that is, in the scientific version of faith—the co-emergence and co-existence of the human with what can only be understood as subsisting in "another world" because it is inaccessible to us: the sacred, which we can grasp without violence only through the medium of the sign.

Is Generative Anthropology then some kind of secular equivalent of religion? Let me provide a mnemonic tool to help tell them apart. The originary hypothesis has sometimes been described as a "big bang" theory of culture, by analogy with the cosmological "big bang" in which the universe emerged or was created. The analogy is appealing, but it is inaccurate. It is not the originary hypothesis that begins with "In the beginning, the Lord created the heavens and the earth." It is religion that should be called the "big bang" hypothesis of human origin, if only because it is time that we realized that the Biblical creation story too is a hypothesis whose presentation of the event of origin reflects an understanding not yet mastered by science.

If the originary hypothesis of Generative Anthropology is not a "big bang," then what is it? I think it is more accurately described as a "little bang." The originary event was a bootstrapping operation that by definition could not announce itself with the dramatic power available at later stages of culture. Yet neither could such an event be imperceptible. It was not a big but a little bang. Its "littleness" brings it into accord with the scientific requirement of Ockham's razor, to simplify or minimize one's hypotheses as much as possible. At the same time, the "bang" cannot, as positive science wishes it could, be minimized out of existence. If you just remember the term "little bang," you will recall to mind the link between Generative Anthropology and religion, and you will understand why I am so very glad to have had the opportunity to speak to you today.

WORKS CITED

- Bickerton, Derek. 1981. *The Roots of Language*. Ann Arbor, MI: Karoma.  
———. 1990. *Language and Species*. Chicago: U of Chicago P.  
Deacon, Terrence. 1997. *The Symbolic Species*. London: Allan Lane.  
Gans, Eric. 1980. *The Origin of Language: A Formal Theory of Representation*.  
Berkeley and Los Angeles: U of California P.  
———. 1990. *Science and Faith: The Anthropology of Revelation*. Savage, MD:  
Roman and Littlefield.

# **ABORTION AS A SACRAMENT: MIMETIC DESIRE AND SACRIFICE IN SEXUAL POLITICS**

Bernadette Waterman Ward  
*SUNY-Oswego*

"If men got pregnant, abortion would be a sacrament."

**T**hat familiar taunt is mostly aimed at Roman Catholics to humiliate them for their purportedly religious and anti-rational opposition to abortion. It is conventional to sniff that the "religious assumptions" on which disapproval of abortion is "typically based" are "highly questionable" (Chambers 1). But the cultural theories of René Girard suggest that it is because men don't get pregnant that abortion already is a sacrament. The key elements of sacrificial religion, as Girard defines it, are the presence of intolerable tension that must lead to social disruption; the choice of a victim who cannot strike back to absorb the community's violence; and the concealment of the function of the sacrifice, which employs actual violence for the purpose of stabilizing institutional violence. Abortion in America is upheld not as medical or even political policy, but as, in fact, a religious sacrifice.

Girard's definition of religion requires neither a moral code nor a divinity nor a metaphysical grounding. The cult of Dionysus, to name only one example, evidently endorsed nothing we would recognize as a general code of morality; Buddhism, a far more august example, does not focus on a divinity; animism proposes no universal metaphysics. As to sacraments,

Thomas Aquinas, following St. Augustine, did not scruple to call non-Christian sacrifices sacraments of their religions, "Whether true or false."<sup>1</sup>

Scapegoating defines religious sacrifice. It protects the sacrificing community and promotes its unity—so long as all believe that the scapegoat must suffer. Often the victim is called an enemy to some established order; sacrifice is always conservative, even if it upholds an inherently unstable system. Because powerlessness, not real disruptive power, is the criterion for becoming a scapegoat, sacrifice requires a strong shared illusion. Classical religions provide unopposable gods to choose the tragically necessary victims, allowing strong ambivalence to surround the sacrifice itself. If this is not present, the death or banishment takes on a different character—more political than religious, though Girard notes a fundamental unity between those two methods of controlling mimetic violence.

Mimetic violence originates in illusion surrounding a rivalry. Often there is an object involved, such as territory or wealth or political rank, but the object, which seems important, is actually irrelevant. The rivalry can continue, seeking new objects, whatever concrete acquisitions either party makes or loses. General, aimless rivalry dominates a social world of fragile, undefined selves in which anyone can be a model for imitation, and therefore anyone can be a threat to one's sense of self. What an imitator actually seeks is to have whatever is desirable; most desirable of all, perhaps, is the ability to know what is desirable, a mysterious quality that is constantly attributed to others; Girard calls this quality "being." From the nursery we are each other's disciples, wanting each other's toys not because of their inherent virtue so much as because someone else has seen some virtue in them. As human desire has no real single object, it has no closure; envy and revenge threaten others in a widening net of destruction.

In the classic scenario, the model whose "being" has become matter for imitation finds himself in competition for the object, and attacks the rival, who returns in kind. A disciple who can rally aspire to the model's status can become a dangerous, even a deadly rival; in imagination, and sometimes in reality, they turn each other into monsters. Yet as the desire has no single object, neither has the rage: the violence can be easily transferred to another object than one's rival. Sometimes those who are uneasy about their status in relation to one another can cement a powerful unity by focusing blame on some common target: a scapegoat. The Orwellian scenario is in fact the normal scenario: individuals caught in the maelstrom of social instability

---

<sup>1</sup>*Summa Theologiae*, 3a.61.1 31.

seek to avoid victimization by diverting the violence into blame and destruction directed, first of all, against someone else—and, if possible, against someone who cannot strike back: a sacrifice.

Not all sacrificial religious structures actually involve blood sacrifice. The deflection of social violence so that it does not escalate into retaliation can take many shapes; imprisonment, slavery, seizure of property, enforced poverty—indeed, all forms of social injustice. Caste systems of all kinds institutionalize violence in a singularly stable way. The reason such systems work is that they create a barrier to the escalation of mimetic desire. One way to avoid the destructive competition is to make it really impossible for imitators to compete with their models, without lessening their desire for the *being* possessed by the models. Girard described the mechanism on a small scale in *Deceit, Desire and the Novel*, wherein a rival, having failed to be like his idol in possessing an object, seeks instead to turn the model's contempt into a possession to be seized; one can at least share the tastes of one's model, which include a distaste for oneself. The desire for one's own subjugation becomes itself a valuable status marker; the prohibition on competition is internalized, so that while mimetic desire exists, it strengthens rather than destabilizes the system of subjugation. As America learned when the Civil Rights movement questioned its racial caste system, and the "black is beautiful" movement convinced African-Americans that no one should seek to *be* whiter and thus feel superior to darker people, the possibility of real competition transformed self-hatred into resentment and social unrest.

This mechanism of self-hatred, the foundation of the institutionalized violence of caste, has long been known to feminists under the rubric of "internalized oppression." Mary Wollstonecraft describes it in *A Vindication of the Rights of Woman*; John Stuart Mill, in *The Subjection of Women*, made it the basis for his argument that the true desires and character of women are unknown, for a hope-less power gap allows her no identity save that granted by the male possessors of power and all that seems desirable. Women blame their bodies, not the men in power, for their abasement. Unable to be like a man in status, a woman can be like her idol in desiring him to have high status, and indeed even in despising those who rank below him. She thus becomes an eternal disciple, desiring her own permanent subjugation.<sup>2</sup> Such a woman defines her very self in terms of upholding

---

<sup>2</sup>This term was one of several proposed to describe this peculiarly twisted psychology at a meeting of the Colloquium on Religion and Violence at Stanford on November 24, 1998; René Girard preferred "eternal disciple" because he liked the allusion to *The Eternal Hus-*

male privilege; the Curse of Eve describes such self-imposed oppression: "Your desire shall be for your man and he shall lord it over you" (Genesis 3:16). Western societies do not take this subjugation to the extreme of *suttee*, the suicide of widows, the Hindu practice which takes very seriously the idea that a woman is emptied of meaning by her husband's death. Nevertheless, American women's shelters are all too familiar with women who will endure any sort of abuse in order to be connected to a male person—a dirty little secret in the high culture of our supposedly egalitarian society which has not escaped the keener eyes of writers of popular music and literature.

An overwhelmingly dependent self-definition makes the social plight of a woman whose man leaves—or threatens to—seem somehow more terrible than concrete risks to her own health or welfare. In America, which is supposed to be a place where such things do not happen, and where women enjoy the same sexual privileges as men, Emory University recently conducted a study among young sexually active teenage girls in order to discover what sexual information they most urgently wanted. And so ingrained was their habit of defining their own needs as the needs of a male person that 85% wanted to know "How to say no without hurting the other's feelings." As Frederica Mathewes-Green remarked wryly, "The meaning of politeness has shifted in one generation from 'nice girls don't' to 'nice girls have to'" (Mathewes-Green). Feminist theorists like Germaine Greer and Andrea Dworkin are not speaking mere nonsense when they deplore all heterosexual activity as "rape culture;" but the coercion they detect has to do with an atavistic social fear (Fox-Genovese 148). There is safety in cooperating with the master caste.

In America today, a woman's sexual life and her parenthood are emphatically nobody's business but her own, weighting any pregnancy, even within marriage, with great peril. Feminist theorist Elizabeth Fox-Genovese is not the only one who has argued that the "right to privacy" in sexual matters "virtually secures" the oppression of pregnant women who have no legal means of coercing cooperation from the father (Rudy 103); they abort, they say, because of lack of male support (Sadchev 161). When all the risks fall upon the woman, sex indeed is violence. And a woman cannot move from one sexual relationship to another easily; aside from the health risks, much more severe for women than men, a woman who lacks a defining male through having had too many sexual relationships is in an even lower social

position than the woman who has never attracted enough attention to get a lover.

Traditional cultures surround sex with ceremony and taboo, as a peril tantamount to bloodguilt, and not without reason. Like anger, lust can strike anywhere and subvert authority structures. It creates false equalities and deadly rivalries, breaks kinship bonds and produces children with no place in the social structure. Born to insecurity, such children can become a dangerous and disruptive class. If sexual mores are even loosened so far as to permit easy divorce, the bonds which tie adults to children are also more easily broken; women fall into poverty, and children lose vital emotional connections. Indeed, even financial connections; for American children, as a rule, poverty follows divorce.<sup>3</sup> No welfare system can counteract familial breakdown. The founding myth of Helen of Troy demonstrates with academic clarity that "Make love not war" is a naive slogan. One of my Generation X students observed that the lovemaking of her generation's parents is tantamount to war against their children.

The process of instability leading to sacrificial crisis, which Girard describes in many works, can be seen clearly in the development of American abortion culture. Rational equality for women in a judicially organized state was proceeding cautiously until customary sexual sanctions broke down—most importantly, the onus against divorce. Parenthood virtually imposes on a divorced woman both financial insecurity and undesirability as a mate. As the incidence of divorce rose sharply, American women lost the protections offered by male obligation to marriage partners. Faced with a crushing burden of structural violence, poverty and strangling lack of opportunity—women justly demanded more employment and educational equality, very rapidly.

Equality is the precondition for rivalry, and equality was in fact defined mimetically: women would be free if they were just like men. But a worker cannot help having a body, and insofar as sexuality is part of a worker's life, equal treatment is inequality. But sex and parenthood do not, and cannot, mean the same thing to a woman as to a man. Feminist sociologist Kathy Rudy observes that the "traditional norm—the subject everyone is equal to—is the unencumbered (non-childbearing) male...and reinforces the stereotypes that lead to sexism" (Rudy 142). Yet a woman is not likely to seek to change the social structure whose deprecation of her physical

---

<sup>3</sup>At the moment, most American marriages end in divorce and only 20% of divorced fathers pay child support. See Clymer.

characteristics she has no doubt internalized. If she is a mother, further complications ensue; unconventionality is hard on one's children.

The "norm" of the non-childbearing male is not the product of angry feminist rhetoric; it is a juridical fact. American law long designated pregnancy as equivalent to "disengagement" from the sphere of public life, especially in the area of employment (Williams 335). The U.S. Supreme Court ruled that employee health care plans could exclude pregnancy while honoring claims for disorders of male sexual organs because pregnancy was not a condition of a worker, but a "sui generis" condition. Until the federal Pregnancy Discrimination Act of 1978, women could not seek remedy for pregnancy-related loss of income, seniority or employment, because the Supreme Court upheld a California court's ruling that pregnancy discrimination is not sex discrimination (Williams 337). Even now, the legal logic governing rulings on women's reproductive lives militates against considering pregnancy in terms of equality under law, and instead treats it as a matter of "privacy;" the functioning of the womb is irrelevant to public policy and protection. (Williams 343).

And despite the Pregnancy Discrimination Act—in those relatively rare instances where it is enforced—women are disadvantaged by motherhood in the working world. Objective physical consequences of pregnancy can and do limit pregnant women's work lives, for the sake of their own safety and that of their offspring. Male workers in good health simply have a physical advantage in this area, as tall people have a physical advantage in professional basketball. Moreover, it is well-documented that mothers are handicapped in professional careers by persistent disapproval of any behavior that is not "nice" and submissive on their part, even in managerial positions where authority must be wielded (Corse 39). A woman faced with economic and social oppression connected to the normal functioning of her body has two obvious choices: she can reject the definitions of her entire political world and try to set up some sort of rebellion—or she can conclude that the enemy is within; is indeed her own pregnant body and the fetus growing there. If she accepts the definition of the pregnancy as her enemy, she can join forces with the structures that are in place, and deflect the crippling economic consequences of her femaleness, although at the cost of her own blood. The boss can retaliate; the fetus cannot.

Abortion kills something called a "mass of cells," or "aborted fetal matter" (Rudy xi) but with human ancestry that joins it closely to the community for which it acts as surrogate. Our political community has established structures that have defined personal success and structures that defend sexual expression as too sacred to be restrained; it must be "private,"

beyond the reach of law. If both these structures are to remain in place, women must choose between failure and the willingness to sacrifice maternity to the violence inherent in the structures. Considered in these terms, abortion in America precisely fits the structure of religious sacrifice, where the best victims are the most defenseless. Like a classic sacrificial victim, the fetus is both blamed for the disorder surrounding its conception and acknowledged as innocent, sometimes at the same time. Here an abortion worker displays sacrificial ambivalence, as if not "we" but other forces made abortion happen:

I see more of murder the further along they get....I believe that, yes, it is a potential life or being, person, but at the same time it is not independent of the mother and it's not able to live by itself. Until we can reach that point...it's really the mother that has the decision over the life.(Reardon 254)

Archaeologists like Lawrence E. Stager discuss the burning of perinatal infants in Moloch-sacrifices to Tanit at Carthage in terms of the economic functions that we tend to assign to abortion, without denying that the act was religious: "In this way the elite could control their numbers in a rather systematic way while still receiving the blessing of the gods." Nor does advancing civilization discard sacrifice; Stager denies that "the 'barbaric' practice of human sacrifice was gradually replaced by the more 'civilized' practice of animal substitution," for "it is precisely in the third and fourth centuries B.C., when Carthage had attained the heights of urbanity, that child sacrifice flourished as never before" (Stager 9). Animal substitution for child sacrifice was more common earlier, according to radiocarbon dating; it was later, when Carthage was most prosperous and thriving, that child sacrifice became more common.

Sacrifice provides blessings as elusive as the object of mimetic desire. The "quality-of-life" argument for abortion, which opponents of abortion can dismiss as nihilistic, or at best utilitarian, sometimes takes on a frankly religious cast:

There can be nothing more destructive to a child's spirit than being unwanted, and there are few things more disruptive to a

woman's spirit than being forced into motherhood without love or need.<sup>4</sup>

Here spirits are invoked purely as a cloak for physical violence—a usage almost invisible as religion to Western culture. Christianity speaks of the Spirit as offering freedom from compulsion from pain or fear or cupidity. It was pagan gods, such as Dionysus, that compelled people to join unanimously in sacrificial practice, without regard to the beliefs in their heart; witness Tiresias in *The Bacchae*. Sacrifice that had nothing to do with one's interior desire for God's justice was reprehended by the Hebrew prophets, and Christianity wholeheartedly adopted their attitude. The assertion that well-doing under compulsion is destructive to the spirit was nonsense to the Greeks. It draws its power from Christian theodicy, which concerns itself with the idea that love must be free in order to have full human dignity. Note that concern with the state of the heart as the measure of human dignity is not, in Christian theodicy, a concern with emotions *per se*. Emotional compulsion is viewed in traditional Christian thinking in much the same light as more external compulsions (which ultimately have their effect through emotions) since emotions, besides being unstable, have the ultimately frustrating effect of narrowing a person's concerns to herself or himself. The Christian tradition of psychological interiority has been completely inverted to require that an action be considered to have true human dignity only when accompanied by tender feelings. Through the Middle Ages, the common consent of the Christian philosophical tradition treated love as the rational ability to attend to some good other than one's own. Such love is free because it is not limited to the good, even the psychological good, of a single creature but has a potentially infinite field of play; mere desire, unchecked, is limited and irrational, confined to the isolated human self (Wolter 179). That is how even a vow of obedience could be an act of freedom, if it were chosen for its rational goodness rather than for the sake of getting some comfort out of one's inferiority.

But Americans, oriented towards the satisfaction and development of the self, do not admire obedience, preferring a vision of noble struggle for expression of the genuine self, untrammelled by others' demands. America is the land where everyone is free to compete, so we say, for the highest office in the land; everyone, indeed, rivals everyone else, and it is deep shame to

---

<sup>4</sup>Committee on Psychiatry and Law of the Group for the Advancement of Psychiatry. *The Right to Abortion*, 1969 (quoted in Woods 84).

admit oneself to be less than original. Now such ordinary desire would free anyone who had it from being a mimetic disciple—but it is not possible. We know this in the most practical way, since the engine of our commerce, the advertising industry, runs entirely upon mimetic insecurity. Yet Americans affirm—go poll any group of college freshmen, as I have done for years—that freedom consists of following the deepest and most sincere desires of one's heart solely for the development of oneself. Therefore, in order for a person to have a stable sense of self, the desires oriented to self must be seen as firm and unyielding. And indeed, when the abortion rights movement speaks of "unwanted children," the rhetoric treats "unwanted" as a permanent state of a child's being rather than a reflection of its mother's immediate personal concern. Invested with the illusion of manifesting ordinary desire, this self-oriented freedom escapes rational judgment, for one's deepest desires are hidden in the heart. Many defenders of legal abortion who admit to no desire to use it themselves justify their position on the grounds that people must be required to do only the things that accord with their deep desires. That people's deep desires are fundamentally infected with mimesis would be anathema to such an ethic.

However, such support of "choice" is for the theoreticians of the movement. Most mothers who actually abort do so because they feel they have no free choice. They are under a terrible compulsion, and the compulsion is not physical. Paul Swope's brilliant article in *First Things* described how, although aborting women may know that it is irrational to think so, motherhood seems "equivalent to a 'death of self'...a complete loss of control over their present and future selves. It shatters their sense of who they are and will become....the choice of abortion becomes one of self-preservation" (Swope 32). Almost 90% of women who abort do so because they seek the approval of someone else—"to please or protect someone else"—because they feel that in order to have a self they must comply with some other human being's desire (Mathewes-Green). All of the pro-choice women in Swope's cited study believed that abortion was killing, but "that is a price a woman in that situation is willing to pay in her desperate struggle for what she believes to be her very survival" (Swope 33). Abortion appeases mysterious forces that threaten a woman not physically but spiritually, with the extinction of her *being*. If she just accepts a few minutes with a knife or a suction machine, no worse fate can pursue her.

American law, however, purports to be rational and equal in defending its citizens' lives. Therefore political supporters of abortion must contend that the fetus is not "really" alive—making medical nonsense of the

surgery—or not human, another medical impossibility.<sup>5</sup> Rare and recent abortion rhetoric calls the unborn an evil "invader" and deplors the "awesome power of a fetus to draw what-ever nourishment it needs from the pregnant woman; so much for weak and helpless" (Ritter 9). More often, the victim is fictionalized into part of the woman's body, though no product of human conception can be identical with its parent.

To make anti-abortion groups and abortionists monstrous doubles (as Girard calls them) vying for power with equal crimes on either head, defenders of abortion match language about the "right to life" with language about "the right to abortion;" anti-abortion language about the murder of the unborn is countered by slogans about saving a baby at the cost of the mother's life. The deception is blatant; if a pregnant woman dies, no child she is carrying can survive; but there is rhetorical advantage in mis-using the two old, respectable senses of "life"—"heartbeat and brain function" and "a social and economic place in the world" (Lewis)—as if they were equivalent. Disgusted with the dishonesty, Naomi Wolf critiques her allies in support of abortion: "Clinging to a rhetoric about abortion in which there is no life and no death, we entangle our beliefs in a series of self-delusions, fibs and evasions" (Wolf 26). She continues, "Images of violent fetal death...are not polemical in themselves; they are biological facts. We know this" (29). Wolf finally, confusedly pleads for a religious paradigm wherein the "sin" of abortion must not be forbidden because it can be forgiven (34). More straightforwardly, some abortion workers pity the fetus that must die for the greater good—sometimes, paradoxically, for its own good, in an ambivalent "sweet brutality" (Tisdale 66). One mused: "I mean, they are killing something that would develop into maturity, but under the circumstances that's necessary, and probably better for the baby" (Reardon 254).

Girard recognizes that in sacrifices made for political reasons, those who are "not naive" about the victim's innocence must deny the reality of the killing or risk awakening the mechanisms of vengeance. Indeed, proponents of abortion are aware of the danger of vengeance if their concealment fails. They routinely identify murder and political vengeance as the real agenda of people who name the fetus a human person with full rights (Cohen; see also Nash). Abortionists have in fact been killed by those who would defend the unborn as persons. Not all anti-abortion groups reject those murders, despite

---

<sup>5</sup>Molar pregnancies aside: there abnormal cell production destroys fetal development before its threat to the mother's life becomes detectable.

Christian prohibitions of revenge. Our legal culture's definition of personhood intervenes: personhood is the right to be avenged. Legal persons, such as banks and universities, can sue for damages in a court of law, and are defended by the police and the courts from acts of aggression. Exclusions of human individuals from the ranks of those who may be avenged are not unusual; in America, they once applied to slaves. They always apply to victims suitable for sacrifice. As Girard comments, "The 'translation' of this violent process into terms of expulsion, evacuation and surgical operations is made in the most diverse cultures" (Girard, *Violence and the Sacred* 288).

If the political illusion of the victim's insignificance breaks down, so does the law. Abortion becomes private violence which may be avenged and start an uncontrollable cycle of violence.<sup>6</sup> In *Abortion without Apology*, Nina Baehr states it frankly: "Abortion activists have a rich history of taking the law—and their lives—into their own hands. When the law doesn't respect women, women don't respect the law" (quoted in Rudy 66). This is the rhetoric of self-destructive mob violence, as in the Los Angeles Riots of 1992; if the law has failed in its duty to protect, we must take our own revenge. But revenge is not taken directly against one's powerful opponents; Black Angelenos did not storm police headquarters (though there was scattered and surreptitious violence against police) and women do not attack the men who abandon and oppress them. The violence is transferred from the oppressor to some surrogate victim; it takes on a sacrificial cast.

Courts have been used to establish a "right" to abortion as a decision "between the woman and her doctor," but abortion has a legal status unlike that of any other medical procedure. Patients must give informed consent for surgery—but by 1987, judgment had been made that abortionists had a "constitutional right" to withhold information about possible complications even if directly questioned by the patient. Even now, not all states have informed consent laws that cover abortion. No other elective surgery dispenses with any waiting period after the initial examination. Ten years ago, doctors in some locations could pay kickbacks for abortion referrals, a practice which, if exploited in favor of any other surgery, would endanger one's medical license (Reardon 234). Amidst proof that they are unsafe, overused and unnecessary for their ostensible medical purpose, gruesome abortions in which a woman is put through all the rigors of a breech birth

---

<sup>6</sup>Its vengefulness has drawn "girls' gangs" in Dorchester, Massachusetts, to require two abortions as proof of sufficiently antisocial "toughness" for membership. See Fox-Genovese 25.

and then the child's brain is sucked from the skull, are defended desperately. No other debate has illustrated so clearly that the real questions underlying abortion have nothing to do with women's health. Prohibition of sex-selection abortion, which has begun to skew demography in America, and created sex ratios tilting wildly toward the male elsewhere—in fact, any regulation of even the most egregiously evil kinds of abortion—might make for a crack in the ceremonial unity necessary for sacrifice. No voice is to be upraised to call the unborn child's death a murder; exclusion zones for protesters keep dissenting voices and images out of an aborting woman's sight and hearing. Until February, 1997 eight-foot "bubbles" of protection surrounded abortion clinics' patients and employees; their very persons were sacred (Greenhouse 1). This is surgery after the pattern of ancient sacrifice (Girard, *Violence and the Sacred* 100-101).

The federal Freedom of Access to Clinic Entrances Bill seems crafted to reveal the essentially sacrificial and religious nature of the extraordinary legal defenses accorded to abortion. The law penalizes any person who "intimidates or interferes with" anyone who is or has been "obtaining or providing" what it coyly calls "reproductive health services" (although the word "abortion" does surface before the end of the document) and it explicitly discourages religious activities near abortion clinics. A startling clause follows, penalizing whoever intentionally damages or destroys the property of a facility, or attempts to do so, because such facility provides reproductive health services, or intentionally damages or destroys the property of a place of worship.<sup>7</sup>

The phraseology equating abortion clinics with places of worship is consistent throughout the law. It is not an accident. Attempting desperately to save the appearance of equal protection for opponents and proponents of abortion, the attempt to equate the sacred spaces of Christianity and the cult of abortion eerily resembles the fiction of unanimity gained by forced participation in Dionysiac processions.<sup>8</sup> American politics, like all politics, is only sacrificial religion in a different idiom; both require faith, or at any rate collusion, with the powers that be. If a population ceases to believe that a polis really protects against violence, the system ceases to operate; therefore everyone must somehow be brought to express belief in the wise

---

<sup>7</sup>Freedom of Access to Clinic Entrances Law 18 U.S.C. Sec. 248 (a) 3. q in full in Staver.

<sup>8</sup>The books of Macchabees, among the Apocrypha, describe such coercion of the Jewish population under Greek rule.

protectiveness of the state. If not, anarchy and violence—what Girard calls the "mimetic crisis"—are likely to ensue.

The fundamentally religious premise of the abortion laws explains such aberrations as the fact that children risk life and limb in abortions, and conceal the surgery from their guardians who must otherwise know every detail of their health record. The surgery is routinely performed without any attempts to examine the woman's full health record or consult with her primary care provider. Abortion laws protect no one's health, no confidential trust between the patient and the doctor; in abortions, the two often do not know one another's names. The laws protect only sexual privacy, the sacred space accorded to the divine act of desire, which must not be violated at any cost. Sexual privacy vastly increased male freedom to abandon pregnant women (Fox-Genovese 26); laws reinforce this by excluding fathers from abortion decisions. Recent bestsellers have begun to explore the cost of this sacralized sexuality in social and emotional dislocation among women (See Shallitt); but the mere physical costs are so obvious and severe that they could scarcely be endured but for the illusion that male bodies provide the measure of worthiness. The old feminist protest against the dictum that "biology is destiny" has been infected with the prejudice that women's real, originary desires, their true destiny, requires them to ignore or suppress their bodies' ability to conceive, and the connection of their bodies to those of their children. The assertion that women's sexuality can be just like men's, however sincerely proclaimed, is deeply mimetic and biologically oppressive. Such an unstable belief system requires sacrifice for its maintenance. If pregnancy is death to self, and sexual intercourse is required for self-fulfillment—both culturally conditioned notions—abortion seems to provide the only escape from the terrors of living in a woman's body. The breakdown of that sacrificial system threatens a woman with the emptiness that drives Hindu widows to *suttee*.

Girard points out that sacrifice, aimed not at the prevention but the diversion of rage, cannot produce long-term stability; a judicial system is far more effective for halting mimetic violence (*Violence and the Sacred* 20-21). Abortion enables rather than ends the economic and social oppression of women, and correlates with skyrocketing statistics on child abuse.<sup>9</sup> (Indeed, as the abortion rate has fallen recently, so has the child abuse

---

<sup>9</sup>See Reardon (225). See also evidence for the alienation process which makes this possible, and the evidence that previous abortion is an important indicator for likelihood of future child abuse in Boss (218).

rate.<sup>10</sup>) Intolerable social risks create expanding disorder. And despite declining rates of abuse and neglect in general, sexual child molestation and child murder are both on the rise; men molest, and women kill (Fox-Genovese 164). Legal pressure to recognize less and less permanent sexual relationships as worthy of the special protections of "privacy" has given rise to a culture in the grip of sexual violence that only in abortion recognizes the terrible as well as beneficial face of Venus. As every woman competes with other women for men and with men for privilege, in both rivalries, her disadvantage is tied to childbearing—in fact, to having a woman's body.

Since abortion seems to offer escape from the costs of having a female body, legal challenges to abortion provoke aggressive condemnation as a "backlash" and a "war against women." Naomi Wolf acknowledges that the system of abortion does nothing to change the fact that women must purchase male privilege at the price of their bodies and their children. She favors abortion because it provides, as she frankly puts it, "a desperately-needed exit from near-total male control of our reproductive lives...an unambiguous chain of power and powerlessness in which men control women, and women, in order to survive, must have unquestioned control over fetuses" (Wolf 35). These assumptions about a chain of power that Wolf describes are foundational to the rhetoric that accuses the anti-abortion movement of hating women and constricting them to the home. It signals fear that women rather than children are to be sacrificed. Underneath it is a half-recognized terror of women absorbing alone the violence unleashed by the disruptions which followed the collapse of real, if ritually rigid, social protections for childbearing women.

---

<sup>10</sup>Abortion has been slowly decreasing since 1988, according to a report from the Surgeon General's Office of Population Affairs, accessed at <http://www.hhs.gov/progord/opa/pregtmed.html>. See also "Changing Trends in Abortions," *Monthly Vital Statistics*, October 1997, vol. 31, no. 8 accessed at <http://www.health.state.mo.us/MonthlyVitalStatistics/Zc97.html>. See *Journal of the American Medical Association Women's Health Information Center Newsline*, on "Morbidity and Mortality Weekly Report," Centers for Disease Control and Prevention, Dec. 4, 1998 vol 47, no. 47 accessed at <http://www.ama-assn.org/special/womh/newsline/special/mm4747.htm>, which reports a slight "uptick" in abortion numbers in 1996 only. The United States Department of Health and Human Services reports that child abuse began its slow decline in 1993, five years after the abortion rate began to decline. Teachers are required to report cases of abuse: reportage naturally follows school entry ages. See the HHS Administration for Children and Families, HHS News, "HHS Reports New Child Abuse and Neglect Statistics," accessed at <http://www.acf.dhhs.gov/news/abuse.htm>.

The anti-abortion movement rarely considers such matters; it has indeed little to offer to the woman who finds herself in a sacrificial position, because the pro-life understanding of the abortion dilemma is so emphatically legal. Certainly concern with illusion written into law is legitimate; falsehood at its root is a real danger to our whole legal system. However, among women seeking abortion, juridical language and thought are inadequate. One cannot use the language of reason and constitutional law to convince defenders of abortion, who already know that abortion is killing and that to kill the innocent is indefensible under a system of justice. Their defense is that of necessity: they face a threat beyond the powers of the law's defense—the threat posed by the sacred, the private, the required license of sexual desire. Though the risks run by women in the American sexual environment are objective and quantifiable on the physical level, rational responses, such as offering free healthcare, child support and adoption services—desperately as all these are needed—will never suffice to remedy the crisis of the pregnant woman. Because this is a symbolic more than a physical crisis, as Swope has proven, women would rather abort than give their children up for adoption. Rational, physical aid will not mollify the irrational, mimetic terror that tells a woman that if she is not allowed to treat the fetus as a sacrifice, she will lose her very life. A woman's "life" in this context means her "being" in the mimetic sense.

The rational definition of freedom offered in Christian theodicy supports the notion that to be unable to equate the needs of others with one's own defines irrationality (Wolter 102-103); it is to be in the grip of evil. Christians are commanded to approach the sacrificial crisis with this sort of rationality and freedom—the freedom that enables a person to defend the victim even if it means sharing the victim's fate.<sup>11</sup> Rationality in a sexual context acknowledges the dangers to which one can expose another by one's actions, and either voluntarily accepts the full physical and psychological consequences, or refrains from imposing them. The first of those decisions is, in Christian terms, marriage; the second, virginity. Both provide real escape from the sacrificial system. If the male in a sexual relationship understands his sexual activity as volunteering for the role of the sacrificial victim,<sup>12</sup> he takes on, as much as possible, the uncontrollable danger and restriction to which he exposes the woman.

---

<sup>11</sup>Girard, *The Scapegoat* (200); all of ch. 15 serves the argument.

<sup>12</sup>The fifth chapter of Paul's Epistle to the Ephesians, often used in marriage ceremonies, makes this point.

But on the other side of the battle line in the culture wars, abortion is no less a religious issue. Abortion directs violence toward an entity which has human ancestry, but is denied the right to vengeance, which defines a person in the community. The real nature of the violence and the victim are concealed, in defiance of rationality, for the violence works in a powerfully conservative way to preserve the current social structure while satisfying mimetic cravings. The structural violence of a society which values the achievements of male bodies and denigrates those of female bodies remains in place, but women are allowed the chance to escape the violence by shedding their own blood and that of their offspring. The women remain eternal disciples, despising their own bodies as the source of their social constriction and seeking always to deflect the death of *being* that seems to be their lot. The fears assuaged by abortion are atavistic and at the root of human culture; the language of rights and social contracts does not touch them. Cooperation in abortion is cooperation in a sacrificial system, with all the deceit, oppression and futility that that entails.

Does such a recognition free us from mimetic desire? No; our desires and envies remain. But to recognize the devices that conceal our own dependency from us is to do much towards enabling us to choose our masters wisely. Indeed, we may be able to emulate one another in the freedom that is willing to endure suffering to proclaim truth and justice. To provide an escape from the endless cycle of sacrificial violence—of sacrificial abortion in particular—we must recognize the ways in which reproduction is a burden for women and address the truly deep terrors of sexuality with self-restraining love, love which agrees to suffer the consequences of evil it has not caused. Such love constitutes the only rational way to live.

#### WORKS CITED

- Aquinas, Thomas. 1975. *Summa Theologiae*. In Latin Text and English Translation, vol. 56: *The Sacraments* (3a.60-5). Tr. David Bourke. New York: McGraw-Hill.
- Associated Press. 1999. "Reported Child Abuse Down." *Palo Alto Daily News*. April 3 (3).
- Boss, Judith A. 1993. *The Birth Lottery: Prenatal Diagnosis and Abortion*. Chicago: Loyola UP.
- Chambers, Jean. 1988. "A Hidden Cost of the Bumper Sticker War." *Women's Studies Newsletter* 9:6 (March). SUNY Oswego.

- Clymer, Adam. 1997. "Child-Support Collection Net Usually Fails." *The New York Times*. July 17 (A: 16:1).
- Cohen, Richard. 1997. "When Morality Begets Violence." *The Washington Post*. Jan. 23 (A:17:6).
- Corse, Sara J. 1990. "Pregnant managers and Their Subordinates: The Effects of Gender Expectations on Hierarchical Relationships." *Journal of Applied Behavioral Science* 26.
- Fox-Genovese, Elizabeth. 1996. *Feminism is Not the Story of My Life*. New York: Doubleday.
- Girard, René. 1977. *Violence and the Sacred*. Baltimore: John Hopkins UP.
- . 1986. *The Scapegoat*. Baltimore: Johns Hopkins UP. 1986.
- Greenhouse, Linda. 1997. "High Court Upholds 15-foot Buffer Zone at Abortion Clinics." *New York Times*. Feb. 20 (A:1: 1).
- Lewis, C.S. 1957. *Studies in Words*. Cambridge: Cambridge UP.
- Mathewes-Green, Frederica. 1995. "Embryonic T 73. end: How Do We Explain the Drop in Abortions?" *Policy Review* 73. (accessed by <http://www.policyreview.com/summer95/thgreen.html>).
- Nash, James. 1997. "The Justifiable Homicide of Abortion Providers: Moral Reason, Mimetic Theory, and the Gospel." *Contagion* 4.
- Reardon, David C. 1987. *Aborted Women: Silent No More*. Chicago: Loyola UP.
- Ritter, Naomi, Ph.D. 1997. Letter regarding "The Fetus as Invader." *Harvard Magazine* 99:5 (May-June).
- Rudy, Kathy. 1996. *Beyond Pro-Life and Pro-Choice: Moral Diversity in the Abortion Debate*. Boston: Beacon Press.
- Sachdev, Paul. 1993. *Sex, Abortion, and Unmarried Women*. Westport, CT: Greenwood Press.
- Shallit, Wendy. 1999. *A Return to Modesty: Discovering the Lost Virtue*. New York: Simon and Schuster.
- Stager, Lawrence E. 1980. "The Rite of Child Sacrifice at Carthage." In John Griffiths, ed. *New Light on Ancient Carthage*. Ann Arbor: U of Michigan P.
- Staver, Mathew D. 1995. *Faith & Freedom: A Complete Handbook for Defending Your Religious Rights*. Wheaton, Illinois: Crossway.
- Swope, Paul. 1998. "Abortion: A Failure to Communicate." *First Things* 82 (April).
- Tisdale, Sallie. 1987. "We Do Abortions Here: A Nurse's Story." *Harper's Magazine* (October).
- United States Department of Health and Human Services: Administrations for Children and Families. "HHS Reports New Child Abuse and Neglect Statistics," *HHS News*. (accessed at <http://www.hhs.gov/progorg/opa/pregtmd.html>).
- United States Surgeon General's Office of Population Affairs. <http://www.hhs.gov/progorg/opa/pregtmd/html>.

- Williams, Wendy W. 1984-85. "Equality's Riddle: Pregnancy and the Equal Treatment/Special Treatment Debate." *Review of Law and Social Change* XIII.
- Wolf, Naomi. 1995. "Our Bodies, Our Souls." *The New Republic* (October 16).
- Wolter, Allan. 1986. *Duns Scotus on the Will and Morality*. Washington, DC: The Catholic University of America Press.
- Woods, John. 1978. *Engineered Death: Abortion, Suicide, Euthanasia, and Senecide*. Ottawa: U of Ottawa P.

# HUMAN NATURE AND POLITICS: A MIMETIC READING OF CRISIS AND CONFLICT IN THE WORK OF NICCOLÓ MACHIAVELLI <sup>1</sup>

Harald Wydra  
*Universität Regensburg*

Perhaps more than any other political philosopher<sup>2</sup>, Machiavelli's writings have given rise to extremely controversial and emotionally charged interpretations.<sup>3</sup> If one were to pinpoint the guiding lines of dispute in Machiavelli scholarship, one could argue that his "foes" are convinced of his amorality and the tyrannical bias, while his "friends" stress the liberal and republican basis of his teaching. This debate between good and the evil in Machiavelli's teaching has accompanied the conflict on the tyrannical and the republican character of his work ever since.<sup>4</sup> While the essence of his prescriptions continues to be contested, most interpreters concur on Machiavelli's realism or political pragmatism defined in *The Prince* 25 as effectual

---

<sup>1</sup> I am grateful to Anthony J. Parel, Arpád Szokolczai, and Adolf Trägler for comments on an earlier draft of this essay.

<sup>2</sup> Perhaps with the exception of Marx who shares with Machiavelli the heritage of an inflationary and contentious scholarship. Despite this resemblance, there are fundamental differences when it comes to declare oneself a follower of Machiavelli or follower of Marx. See Aron (256-259).

<sup>3</sup> In his extensive overview, Berlin estimates the totality of the bibliography at more than 3,000 titles. Needless to say that is has considerably increased since then. The recent wave of new translations into English (Mansfield and Tarcov, or Codevilla) and several new approaches provide for the richness of debate. This debate sometimes acquires a heated intensity, such as in the exchange on Strauss's Machiavelli between Mansfield and Pocock in *Political Theory*, 3:4 (1975), 372-405.

<sup>4</sup> See for a recent update the introduction to a new translation of the *Discourses* in Mansfield and Tarcov.

truth (*verità effettuale*). In this stress on factual reality as opposed to imagination many have seen the sources of Machiavelli's advocacy of technicity, rationality and reason of state. Such a viewpoint is supported by Machiavelli's pure and emotionless style of writing.

Machiavelli's effectual truth is essentially about the mastery over conflict and contingency in politics. Yet, there are hardly systematic studies on the status and role of political conflict and its consequences for political order in Machiavelli's work.<sup>5</sup> Most classical studies include analysis of conflict (Pocock; Lefort; Sasso), but they do so by sticking to the natural textual division of his major works. This article sets out to elaborate some guidelines of a Machiavellian theory of conflict by linking it to René Girard's theory of mimetic conflict. It aims to achieve two things: first, to analyze the nature of political conflict in Machiavelli's work. Second, to reexamine some widespread assumption on the autonomy of politics.

### **The Affinity of Machiavelli and Girard: Crisis and Conflict**

Methodologically, a reading of Machiavelli through Girard has a status different from that of orthodox comparisons of two thinkers.<sup>6</sup> This can be illustrated by considering Raymond Aron's comparison between Machiavelli and Marx. On the one hand, Machiavelli's political philosophy is marked by a stress on cyclical repetition and permanent instability. His realism maintains that the more things change the more they remain the same. On the other hand, Marx's economic philosophy of history envisages long-term progress and as such reflects upon change by its confidence in Providence. Yet, essentially both works are concerned with the contingent modalities of collective conflict over time. While for Machiavelli the struggle for power unfolds between political groups such as nobles and the people, Marx suggests the social and economic roots of conflicts in social formations.

Against this background, a reading of Machiavelli through Girard diverges from conventional comparisons. Machiavelli's work emanates from his experience as a practitioner of politics who aims to be the counsellor of Princes. A trained historian and literary critic, Girard analyzes fundamental

---

<sup>5</sup>To my knowledge, by far the most balanced and detailed treatment is given by Sasso. For a thematic treatment of civil discord, see also Bock.

<sup>6</sup>One can mention Raymond Aron's two fine essays "La comparaison de Machiavel et Pareto" (Aron 86-109) and "Machiavel et Marx" published in Italian in the first edition of Machiavelli's *Principe* (1975) and again in French (Aron 255-274). See also Eric Voegelin's thematic juxtaposition of Machiavelli to Thomas Morus in the light of the "playful cruelty of humanists."

texts of Western tradition, such as literary classics, myths, dramas, and the biblical texts. Hence, both authors are distinguished by their life experiences, their discipline, their methodology, and their life-worlds. Substantially, however, their community of interests pivots on crisis and conflict as central categories for the analysis of the foundations of order. Girard's general hypothesis holds that sacrificial violence is at the root of cultural, religious and social order. Machiavelli is considered to advocate the use of violence as fundamental to establish new political modes and orders.<sup>7</sup> It is my argument that Girard's theory of conflict can be a methodological tool to decipher Machiavelli's contested work.

Girard's theory of conflict rests on three pillars. A first hypothesis holds that imitation is at the origin of conflicts. Imitation—beyond the classical representative function—is rooted in desire which is fundamentally appropriative or acquisitive (Girard 1961; 1978, 15ff). The anthropological premise is that desires are reciprocal and thus mimetic. The symmetry or identity of mimetic desires—as fundamental for learning and progress in human history—may cause conflicts since desired objects are scarce or finite by definition. Conflictual reciprocity of mimetic desire depends on historical-structural conditions such as the breakdown of social and political order, the abolition of legal prohibitions, the dissolution of institutions, and the shattering of identities (Girard 1982, 25ff). A second hypothesis is based on the inter-individual psychology that unfolds in crisis situations (Girard 1978, 401ff). It suggests that the process of mimetic rivalry may develop into mimetic violence. Mimetic violence can only be resolved through the expulsion of a scapegoat victim. The process of sacrifice through scapegoating is morphogenetic since it creates and legitimizes social cohesion through the ritualization of an originary scapegoat victim (Girard 1982). A third hypothesis is based on a non-sacrificial reading of the biblical texts. Girard argues that founding texts of humanity such as classical myths, dramas, or texts on persecutions of minorities<sup>8</sup> present the scapegoat victim as truly guilty (Girard 1972). Only the biblical texts reveal the hidden mechanism of mimetic violence by a non-sacrificial reading which shows the innocence of the scapegoat victim.

---

<sup>7</sup>This stance was recently attacked by Maurizio Viroli (1995: 1998, 174) who argued that Machiavelli sees politics as the perfection of human intelligence made possible by one passion alone—that is by love of country.

<sup>8</sup>Of particular interest are the persecution of Jews or the analysis of the Dreyfus affair.

Anthropological premises such as imitation, desire, and surrogate victim appear in Machiavelli's work at neuralgic points. The three books of Machiavelli's most systematic work, the *Discorsi sopra la prima deca di Tito Livio*, rest upon premises of an anthropological kind and likewise intimate an inter-individual psychology. In the prefaces A and B to book one he emphatically vindicates his originality by stressing the uniformity of history based on imitation.<sup>9</sup> The preface to the second book restates the importance of human appetites and insatiable desires in a world where desired objects are by definition scarce and responsible for conflicts.<sup>10</sup> The principle of imitation remains essential, since it "is the criterion and the seal" of book two (Sasso I, 613). Here, desires are portrayed in their inter-individual perspective that shows how desires abound and cannot be fulfilled, thus causing envy and discontent. While a preface is missing for book three, its first chapter treats the renovation of a republic by bringing it back to its origins. Book three introduces no new themes but draws its unifying element from a reevaluation of central aspects of his theory, especially from the *Discourses* I,16 and I,18.<sup>11</sup> By taking up other themes of the first book such as the preemptive outlet function of legal prescriptions, the opening sequence of the third book thus points to the remedy of sacrifice to end a situation of decay and crisis.

---

<sup>9</sup>In the prefaces A and B he reproaches the insufficient contemporary knowledge of history by arguing that imitation of ancient models is necessary: "Donde nasce che infiniti che le leggono, pigliono piacere di udire quella varietà degli accidenti che in esse si contengono, senza pensare altrimenti di imitarle, giudicando la imitazione non solo difficile ma impossibile; come se il cielo, il sole, li elementi, l'uomini fussino variati di moti, d'ordine e di potenza da quello che gli erano antiquamente. Volendo pertanto trarre l'uomini di questo errore, ho giudicato necessario scrivere, sopra tutti quelli libri di Tito Livio che da la malignità de' tempi non ci sono stati intercetti, quello che io, secondo la cognizione delle antique e moderne cose, iudicherò essere necessario per maggiore intelligenza d'esso." Imitation plays a central role in the *Prince* as well: "Perché, camminando gli uomini quasi sempre per le vie battute da altri, e procedendo nelle azioni loro con le imitazioni, né si potendo le vie di altri al tutto tenere, né alla virtù di quelli che tu imiti aggiugnere, debbe uno uomo prudente intrare sempre per vie battute da uomini grandi, e quelli che sono stati eccellentissimi imitare, acciò che, se la sua virtù non vi arriva, almeno ne renda qualche odore." (*The Prince* 6).

<sup>10</sup>"Sendo...gli appetiti umani insaziabili perché, avendo dalla natura di potere e volere desiderare ogni cosa e dalla fortuna di potere conseguirla poche, ne risulta continuamente una mala contentezza nelle menti u mane e uno fastidio delle cose che si posseggono." (Preface D.II).

<sup>11</sup>While D I,16 has already introduced the theme of the founding murder, D I,18 is perhaps the most outstanding treatment of the decadence, corruption, and undifferentiation in the *Discourses*.

This quick overview intimates the three general Girardian themes in Machiavelli's two major works. Given the aforementioned hints by textual evidence and the particular crisis situation of early 16th century Florence, the fundamental concern and the spirit of Girard's work at face value virtually overlaps with Machiavelli's work.<sup>12</sup> Yet, whenever Machiavelli and Girard were put in relation, the focus was narrowed down to the status of violence or the founding murder (Manent; Grote). No proper systematic analysis of the origins of crisis and conflict as connected to human nature in Machiavelli's work has been undertaken so far. While such an endeavor by far exceeds the scope of this paper, I propose a reconstruction of some methodological pillars in Machiavelli's treatment of political conflict and human nature. I will argue that Machiavelli's concept of political conflict and its resolution can be reconstructed as a theory of mimetic conflict. Far from being focused on anthropological pessimism or human evil, *virtù* and *fortuna* appear as a result of an anthropology of imitation, of an inter-individual psychology, and a quasi-religious sacred foundation of order founded on a process of sacrifice and ritualization.

### **Imitation and Desire in Machiavelli's Anthropology**

Imitation of Greek and Roman antiquity was not only a very important tool for artists and writers in Renaissance Italy but it was probably the norm (Burke 45). Not surprisingly, the theme of imitation is recurrent in Machiavelli's work. At face value imitation is widely embedded in the *Rinascimento dell'Antichità* and thus focused on the functional, representative, and historical aspects. Moreover, imitation stands forth in its positive connotations and its pedagogic-didactic function by presenting the greatest examples to be imitated (*The Prince* 6). The most elaborate discussion of imitation in the preface to the first book of the *Discourses* characterizes this work as an imitative *operazione* which should inspire the readership to participate as an active "virtuous" reader-ruler. Imitation of the ancients is wanting, especially because of the lack of knowledge (D I, Preface). "Thus this proemio draws a distinction implicit in *The Prince* between the humanist/dilettante, the merely verbal imitator, and the true reader and active imitator. The result of this distinction is to lump Machiavelli together with his ideal hero and his ideal reader, active imitators all" (Greene 62).

---

<sup>12</sup>As already argued by Pierre Manent (462). Girard's theory espouses Machiavelli's central concern. According to Manent, Machiavelli considers violence as the necessary condition of humanity to become emancipated from the untrue Christian non-violence.

At a deeper level, Machiavelli is aware of the distance and the unattainability of the values and virtues of the Roman past (D I, Preface; Sasso 582). Nonetheless, the very essence of his argument concerns the bridging of the gap between contemporary Italy and the Roman Republic. Hence, the ultimate value of Machiavelli's theory of imitation lies not in the distance but in the possibility of coincidence and identity of different epochs (Sasso I, 583). Drawing on this double tension, one might assume an impasse between the historical and anthropological meanings of imitation. As Sasso argued: "If times are not identical, then imitation of the better will be made necessary by the actual presence of the worse. Yet, given the premises of the theory, it will still be impossible. If times are identical, however, then imitation will be possible but also useless and unnecessary. It will be tautological" (Sasso 593). Conversely, according to Sasso, "the identity of epochs renders imitation impossible, from the moment that the identical cannot become object of imitation on its own part—it is still true that in this structural inconsequence, the Machiavellian theory encounters its strongest limits" (*ibid.*).

This presumed impasse could be unraveled through a Girardian reading. Bearing in mind Machiavelli's anthropological assumptions, identity in imitation is not only about the bridging of past and present, but it also constitutes a recurrent and steady element of human nature. In the *Discourses* I.39 the link between imitation and desires is perhaps presented most clearly: "He who considers present affairs and ancient ones readily understands that all cities and peoples have the same desires and the same humors and that they always have had them."<sup>13</sup> In a similar vein, in the third book he declares that "all the things of the world, in every period, have their individual counterparts in ancient times. This arises because they are carried on by men who have and always have had the same passions; therefore, of necessity the same results appear."<sup>14</sup> These examples read like methodological remarks on the structural invariability of desires and passions as the matter of politics. On these grounds, Anthony J. Parel argued: "First of all, political humors refer to desires and appetites natural to a social group. Desires are pre-

---

<sup>13</sup> D I, 39(2): "E' si conosce facilmente per chi considera le cose presenti e le antiche, come in tutte le città e in tutti i popoli sono quegli medesimi desideri e quelli medesimi omori, e come vi furono sempre."

<sup>14</sup> D III, 43(2.3): "Perché tutte le cose del mondo in ogni tempo hanno il proprio riscontro con gli antichi tempi. Il che nasce perché essendo quelle operate dagli uomini, che hanno ed ebbono sempre le medesime passioni, conviene di necessità che le sortischino il medesimo effetto."

rational in that their satisfaction is a matter of necessity rather than choice. Reason is not so much a restraint upon them as a stimulant, since the political satisfaction of these desires is what constitutes the summum bonum of Machiavellian politics. Desires are not acquired, as such; they are constitutive" (Parel 105). The mimetic quality of desires in Machiavelli's theory of humors is explicit in the antagonism of opposed desires for the common object of rule.<sup>15</sup>

Moreover, Machiavelli's own life experience in a time of crisis (Baron) and his stress on decadence or *licenzia* in his *Florentine Histories* reflect to what degree he himself was caught in mimetic desire. "In reality, it was a deeply passionate bond that is expressed in Machiavelli's theory of imitation" (Sasso I, 593). Girard developed his anthropological insights in his study on the master works of Cervantes, Stendhal and Dostoevsky (Girard 1961). There, life and action of characters, Don Quijote or Raskolnikov, are dominated by desire for models and utopian visions. At the end stand the disillusionment and the renunciation of their fruitless pursuit of an imaginary model which provides for the conversion and an *imitatio Christi*. In a similar vein, Sasso equates Machiavelli's own endeavor to the unconscious dream of the free sky of action that came down to a profound disillusionment. It is not by chance that Machiavelli invented figures such as *Fabrizio Colonna* or *Castruccio Castracani*, "pathetic heroes of disenchantment, victims of *fortuna* and of the dissipation of *occasione*" (*ibid.*). Such a reading sets limits to the functional aspect of imitation. Acquisitiveness based on desires emphasizes the unconscious drive towards imitating others. To deploy their reciprocal power, these desires need an experiential frame which is provided by situations of disorder and undifferentiation.

### **Inter-Individual Psychology in Machiavelli's concept of Crisis**

An important strand of Machiavelli research assumes an anthropological pessimism inherent to his work.<sup>16</sup> Recently, the thesis of anthro-

---

<sup>15</sup> See the programmatic statement about the "two humours" in *The Prince* 9: "Perché in ogni città si trovano questi due umori diversi: e nasce da questo, che il popolo desidera non essere comandato né oppresso da' grandi, e li grandi desiderano comandare e opprimere il popolo..." Similarly, at the outset of the *Istorie fiorenti* III, 1 he states: "Le gravi e naturali inimicizie che sono intra gli uomini popolari e i nobili, causate da il volere questi comandare e quelli non ubbidire, sono cagione di tutti i mali che nascono nelle città: perché da questa diversità di umori tutte le altre cose che perturbano le repubbliche prendano il nutrimento loro."

<sup>16</sup> See especially Strauss and Aron (70). According to Aron Machiavelli presupposes the evil of mankind which is more a natural amorality than moral unworthiness or corruption in the

political pessimism was questioned by Masters (56ff). In his reading of the relevant passage in *The Prince* 18,<sup>17</sup> Machiavelli understood human nature as unreliable and shortsighted rather than wicked. "The variability of the good" arises because the "quality of the times" changes. Essentially, the diversity or malleability of human nature depends on individuals and circumstances.<sup>18</sup> On these grounds, the conflictual aspect of imitation requires to be linked to the changing "quality of the times." The experiential basis in times of crisis is grasped in Girard's thinking by the concept of undifferentiation. As he argued, the loss of degree, the general confusion in the wake of a collapse of order due to plagues or revolutions constitute a scenario in which a mimetic crisis can unfold. While mimetic desire leads to a positive identification with good models and glorious examples in times of order (when belongings and identities are assured), mimetic desire intensifies under conditions of undifferentiation. The crucial point is that a crisis is not mimetic only on the basis of anthropological or psychological premises. Human interdependence through mimetic desire increases as abrupt changes in time provoke experiences of breakdown of order, a loss of belonging or identity-crisis.<sup>19</sup>

Although Machiavelli makes no explicit mention of crisis,<sup>20</sup> his work at neuralgic points shows striking parallels to Girard's concept of undifferentiation.<sup>21</sup> Along these lines we must read Machiavelli's verdict in the preface to book II of the *Discourses*.<sup>22</sup> When territorial integrity or power are at stake, when identities and belongings crumble, and a generalized

---

Christian sense.

<sup>17</sup>This chapter argues that there are two ways of fighting: one with the arms of the laws, and the other one with pure force; the first one corresponds to mankind, the second one to the beasts: because the first is often not sufficient, one needs to make recourse to the second.

<sup>18</sup>*The Prince* 25: "Nondimanco, perché il nostro libero arbitrio non sia spento, iudico potere essere vero che la fortuna sia arbitra della metà delle azioni nostre, ma che etiam lei ne lasci governare l'altra metà, o presso. a noi."

<sup>19</sup>Perhaps the most riveting account of mimetic desire that aims to be accepted as belonging to a collective group is given in Girard's analysis of Peter's denial of Christ, which happens after the breakdown of Peter's identification with and belonging to Jesus and the group of disciples (Girard 1982).

<sup>20</sup>The glossary of the keywords in the *Discorsi* does not include the term crisis. See Mansfield and Tarcov.

<sup>21</sup>In this context, one can regard the *Florentine Histories* as a prolonged situation of crisis and disorder. The Prince acts in moments of upheaval and the *Discourses* describe at several points the constantly menacing situation of decay, depravity, and corruption.

<sup>22</sup>Here, Machiavelli argues that human appetites and judgements vary according to the stages in life-times such as youth or old age.

decadence spreads, then reciprocal acquisitiveness increases. The cycle of constitutions exposed in the *Discourses* I,2 points to a cyclical recurrence of situations of crisis.<sup>23</sup> Most clearly, however, it is expressed in his broad elaboration of corruption. The modalities of historical experience are taken as decisive for the quality of conflicts. Where *materia* is not corrupt, tumults and others scandals do no harm; where it is corrupt, good laws are useless unless one ruler achieves their observation by extreme force (D I, 17 [3]). This theme is taken up in the *Discourses* I,55 (23) and in the third book of the *Florentine Histories*. The latter deal in their entirety with the corruption of Florence focusing on *licenzia* which corresponds to a permanent state of political instability or ill health.<sup>24</sup> How conflict emanates from crisis is most clearly shown in the *Discourses* I,37 where Machiavelli expounds the desire for acquisition, thus linking it to the variability of *fortuna* and to the genesis of violent conflicts.<sup>25</sup> Men fight each other because of need, and if there is no need, they do so because of ambition; this because nature has created them in such a way that "though all things are objects of desire, not all things are attainable; so that desire always exceeds the power of attainment, with the result that men are ill content with what they possess and their present state brings them little satisfaction" (D I, 37 [4]).

There is enough evidence to show that Machiavelli's anthropology is embedded in a concept of crisis where humors and desires are mobilized or unleashed. As such, Machiavelli's political theory rests on a notion of crisis that attributes decisive importance to human nature long before the central role of human nature and passions was "purged" of this notion in Enlightenment thought. In his path-breaking study on Critique and Crisis, Reinhart Koselleck showed how the Enlightenment as the century of critique and

---

<sup>23</sup>In D I, 2 (12), Machiavelli describes the cycle of constitutions that consists of three types of good government that degenerate through corruption into three types of bad government: "Quelli che sono buoni sono e soprascritti tre: quelli che sono rei, sono tre altri i quali da questi tre dipendono e ciascuno d'essi è in modo simile a quello che gli è propinquo, che facilmente saltano dall'uno all'altro: perché il Principato facilmente diventa tirannico; gli Ottimati con facilità diventano stato di pochi; il Popolare senza difficoltà in licenzioso si converte." See also D I, 2(24): "E questo è il cerchio nel quale girando tutte le repubbliche si sono governate e si governano: ma rade volte ritornano ne' governi medesimi, perché quasi nessuna repubblica può essere di tanta vita che possa passare molte volte per queste mutazioni e rimanere in piede."

<sup>24</sup>See the discussion in Parel (140-152).

<sup>25</sup>D I, 37(5): "Da questo nasce il variare della fortuna loro, perché disiderando gli uomini parte di avere più, parte temendo di non perdere lo acquistato, si viene alle inimicizie e alla guerra, dalla quale nasce la rovina di quella provincia e la esaltazione di quell'altra."

moral progress ignored crisis as the central concept. It was Rousseau who grasped the diagnostic and prognostic content by postulating crisis as a dissolution of order leading to anarchy (Koselleck 134-140). While Rousseau innovates by fully applying the medical implications of the *corps politique*, this medical understanding of state as body politic is already inherent in Machiavelli.<sup>26</sup> Parel's study elaborated how Machiavelli's use of humors was embedded in a long tradition of the use of medical analogies in classical and medieval political philosophy (Parel 1992:102ff). Some 250 years before Rousseau, the notion of humors in Machiavelli's political theory integrates human nature into the modalities of the dissolution of the body politic.

It is the merit of Master's work to have shown how the concept of chance (*fortuna*) can be literally understood as undifferentiation. The core of his argument holds that in describing *fortuna* by the symbols of dams and dikes in order to channel the river and control floods (*The Prince* 25), Machiavelli intimated technological knowledge and expertise used by Leonardo da Vinci (Masters 58ff.). A change of perspective allows for a different slant to the allegory of the dikes and dams. The leveling flow of water that floods is the moment when order is being menaced or destroyed. The "state," then, is that domain of stability in the sea of chaos produced by the variations in human passion and natural events. The land, however, only remains dry insofar as human action has produced the "dikes and dams"—the armies and the laws—which constrain ambition and selfishness both within and without the community" (Masters 66). This reading of Machiavelli as somebody who integrated theoretical science, technology, commerce, and politics provides also for an understanding of *fortuna* as a situation in which the mimetic nature of human beings is prey to a lack of legal prohibitions, the disappearance of differences and hierarchies.

He also pays attention to the conditions of action in a given historical situation and to the interaction between elites and the multitude. In the *Discourses* I,58 there is a marked difference between a multitude in the Roman Republic and the multitude in Florence. While in the former, a multitude was ruled by laws, in the latter it is conceived of as a mass without authority. On the whole, the lack of authority of legal prohibitions but also of authority of command in a multitude links the loss of order to the inter-

---

<sup>26</sup>Koselleck argues that the transfer of the concept of crisis from medical use to the political already happened in England of the 17th century (211, note 124) It seems that the neglect of emotional implications for the concept of crisis points to a blind spot in Machiavelli scholarship.

individual process of acquisitive imitation. On these grounds, Machiavelli's anthropological assumptions must be connected to historical experiences of breakdowns of order. In this regard, a Girardian reading of Machiavelli is not at odds with those interpretations that see Machiavelli's oeuvre as mainly inspired by historical conditions (Baron; Münkler). Quite to the contrary, decay and corruption as an experiential basis of historical reality form a unifying element in *The Prince*, the *Discourses*, and the *Florentine Histories*.

### Political Conflict and Human Nature

So far, it has been argued that Machiavelli's concept of imitation needs to be taken further than representative or historico-chronological interpretations have suggested. The frequent coincidence of imitation and desires appears to be inherently connected to the historical experience of crisis and decay.<sup>27</sup> Thus, imitation is not only limited to a pedagogic or historical motif that concerns the identity of past and present, nor is it limited to the uniformity of history. Imitation eminently concerns upon the conflict-generating reciprocity of human desires.

Political conflict in Machiavelli's work has either been attributed to his anthropological pessimism or to class conflict.<sup>28</sup> This second viewpoint evolved from the formulation in *The Prince* 9: "For in every city these two diverse humors are found, which arises from this: that the people desire neither to be commanded nor oppressed by the grandi, and the grandi desire to command and oppress the people."<sup>29</sup> Moreover, political regimes are considered to be the effects of the conflicts between political humors, as "one of three effects occurs in cities, either principality or republic or license" (*The Prince* 9). In the *Florentine Histories*, Machiavelli speaks of conflicts in a broader context. In Florence, conflicts happened between the nobles, the people, and the plebs leading to further conflicts inside these groups (*Istorie fiorentine*, Preface). Despite this multiplication and dispersion of conflicting groups, Sasso argues that conflict here is essentially a temporal succession. Therefore, the conflicting parts do not go beyond two rival parties (Sasso II, 181f).

<sup>27</sup>See especially: D I, 17 and 18; D I, 37 and 39 and *Istorie fiorentine* (IF), III, 1.

<sup>28</sup>See an overview and critique of this tradition in Parel (110ff). Most recently, this strand of "class-analysis" was underscored by Mansfield (92ff).

<sup>29</sup>"Perché in ogni città si trovano questi dua umori diversi: e nasce da questo, che il popolo desidera non essere comandato né oppresso da' grandi. e li grandi desiderano comandare e opprimere il popolo."

Such a dialectical notion of class conflict denies natural divisions in society and points to a progress-oriented future where conflict lines can be resolved. Standard interpretations of conflict in Machiavelli draw on such an understanding.<sup>30</sup> Radicalizing this stance on class conflict, Lefort denied that human nature in the form of *due umori diversi* plays a role in the class-based social division as basic to the conflict (Lefort 165-66). Conversely, Pocock<sup>31</sup> and Parel concur in the argument on the centrality of emotions for Machiavelli as regards freedom in the Roman Republic and its imperial expansion.<sup>32</sup> The first hypothesis in the *Discourses* holds that the disunion and strife among the patricians and the plebeians was the cause of liberty, stability, and power in the Roman Republic;<sup>33</sup> the second is that making the plebeians the guardians of liberty had the unexpected effect of making Rome a strong military power (Parel 122). It reverses the traditional thesis where the sign of wisdom of laws is based on their capacity to curtail men's desires.

The third book of the *Florentine Histories*—which presents desires and passions as central to conflict—is introduced with an explicit reference to *The Prince* 9 and the *Discourses* I,4 but turns its content upside down. The grave and natural enmities between the *uomini popolari* and the *nobili* is attributed to "this diversity of humors." Yet, while the enmities in Rome were defined by dispute, those in Florence are defined by combat. While conflict in Rome increased military virtue, conflict in Florence made it diminish. "In Rome, they changed the state of equality among the citizens to a state of very great inequality, in Florence they led from inequality to a remarkable state of equality."<sup>34</sup> Both passages presumably contradict the affirmation in the *Discourses* I,4. While the effects of inequality and discord are regarded to be positive in the Roman Republic, they have negative results in the *licenzia* in the history of Florence Republic. Machiavelli

---

<sup>30</sup>This is well illustrated by Parel (110ff).

<sup>31</sup>"But if union arises from disunion, it comes about through irrational rather than rational action" (Pocock 194).

<sup>32</sup>In a similar vein, Viroli's advocacy (1995; 1998) of love of country as a fundamentally emotional bond through moral strength and protection of liberty is guaranteed in republics.

<sup>33</sup>D I, 4 (5): "Io dico che coloro che dannono i tumulti intra i Nobili e la Plebe mi pare che biasimino quelle cose che furono prima causa del tenere libera Roma, e che considerino più a' romori e alle grida che di tali tumulti nascevano, che a' buoni effetti che quelli partorivano....: e come tutte le leggi che si fanno in favore della libertà, nascono dalla disunione loro, come facilmente si può vedere essere seguito in Roma."

<sup>34</sup>IF III, (1): "quelle di Roma da una ugualità di cittadini in una disaggualianza grandissima quella città condussono; quelle di Firenze da una disaggualianza a una mirabile ugualità l'hanno ridutta."

himself is aware of the apparent paradox but defends the coherence of his thought (D I, 37(22)). In fact, Machiavelli's judgment on civil discord or political conflict is—despite some differences—considered to be coherent (Bock; Sasso 202). However, explanations so far emphasized coherence insofar as the outcome of conflict was concerned. They paid less attention to the modalities of conflict, thus overlooking the link between his imitative anthropology and crisis.

This link between human nature and crisis can be elucidated through a closer look at the controversial use of the concepts inequality and equality, both of which have an ambivalent meaning throughout Machiavelli's work. Conflicts and disunion in the Roman Republic are deemed to have positive effects, creating the precondition for liberty and later on for the expansion of the Republic, while in Florence they stand for decay and corruption. Correspondingly, the introductory chapters to the first book of the *Discourses* and the *Florentine Histories* III,1—as a historical account of crisis and *licenzia*—point to the positive effect of inequality in the Roman Republic. By contrast, Florence is characterized as being reduced to a *mirabile ugalità* (remarkable equality). This refers to the ruin of the nobility and the leveling down of destinies (*pareggiamento delle sorti*). In a similar vein, in the *Discourses* I,17 Machiavelli argues that inequality is harmful, since it is the cause for decay and corruption in a city. "Such corruption and lack of aptitude for liberty arise from inequality in a city; and in order to restore equality it is necessary to use the most extraordinary of means, for which few have the knowledge or the will."<sup>35</sup>

Inequality must not be taken as economic or social inequality. As Pocock argued, inequality refers to "a state of affairs in which some individuals look to others when they should be looking to the public good and public authority; and 'equality' must be a state of affairs in which all look to the public good alike. Corruption is the rise of factions, of over-powerful citizens, a moral condition affecting the powerful and their dependents with equal corrosiveness; and its origins are purely moral, a change of Roman *costumi* for the worse" (Pocock 209). In a similar vein, the use of inequality in the *Florentine Histories* III,1 is aimed at characterizing the Roman Republic. There, differences or inequalities in depravity among the citizens

---

<sup>35</sup>D I, 17(16): "Perché tale corruzione e poca attitudine alla vita libera nasce da una inegalità che è in quella città, e volendola ridurre equale è necessario usare grandissimi straordinari, i quali pochi sanno o vogliono usare. come in altro luogo più particolarmente si dirà."

allowed for maintaining enough moral force to impose the veneration of the public good. By contrast, in the crisis situation of Florence the real objects of desire are not the public good but the competition or mimetic rivalry among subjects that are keen on surpassing one another.<sup>36</sup>

The *Discourses* as a republican book underscore the means and ways of how to avoid crisis and decay. This is discussed in an ideal-typical way in D I,55 and supported by the historical example of Rome in the first part of book one. Contrasting the corrupt provinces Italy, Spain, and France with the German provinces, the discussion of the conditions of equality pre-supposes avoiding conditions of inequality. To maintain this equality, Machiavelli endorses maintaining an uncorrupted political entity by avoiding the contagion with bad models.<sup>37</sup> A second precondition for equality is to avoid the life-style of *gentiluomini* (gentlemen) which are the symbol of corruption par excellence. Thus, equality refers to the ethical and moral implications of equality, i.e., the loss of differences and degrees between opposed groups as regards their common orientation towards the public good. One can safely surmise that *the mirabile ugualità* in a framework of historically specific decay and crisis (*licenzia*) such as we find in the *Florentine Histories* and in the *Discourses* I,17/18 and I,37 operates with a different meaning of equality than in the *Discourses* I,55. For the history of Florence, Sasso argues, equality and depravity must be the same thing (II, 198ff). As the theme is a historical treatment of a permanent crisis of Florence, depravity (*abiezione*) and humiliation (*umiltà*) are not part of a moral discourse in the first place. Such an assumption is corroborated by the parallel use of the same language of depravity and humility both in the *Florentine Histories* III,1 and in the discussion of decadence and crisis of Christianity in the *Discourses* II,2.

A Girardian reading of the supposedly paradoxical use of inequality and equality shows the coherence of Machiavelli's thought. The use of either concept is linked to the quality of the time, that is, the historical condition of undifferentiation. Inequality in the *Discourses* I,17 is not to be understood as social or economic inequality but has to be set in relation to the other

---

<sup>36</sup> In one speech of the popolo to the nobles this is clearly expressed: "Perché il premio il quale della vittoria desiderano è, non la gloria dello avere liberata la città, ma la sodisfazione di avere superati gli altri e il principato di quello usurpato; dove condotti, non è cosa sì ingiusta, sì crudele o avara che fare non ardischino" (IF III,5).

<sup>37</sup> D I, 55 (17): "L'altra cagione è che quelle repubbliche, dove si è mantenuto il vivere politico e incorrotto, non sopportono che alcuno loro cittadino né sia né viva a uso di gentiluomo: anzi mantengono intra loro una pari equalità, e a quelli signori e gentiluomini che sono in quella provincia sono inimicissimi."

fellow citizens, where the stress is on the mimetic disregard for what should be the commonly desired objects in the form of the public good. Inequality in a corrupt state aggravates mimetic desires and reciprocal competition. Where republics are strong, a state of equality suggests a situation in which humors (read: mimetic desire) are somehow bound by the attention towards the public good.

Given the evidence above, it is doubtful that the plebeian appeal to the nobles is, as Bock argues, Machiavelli's stance. Throughout the *Florentine Histories* the variability of the times is intrinsically linked to human nature. Desires are not attributed to a particular form of government but the self-destructive effects of a mimetic crisis depends on whether the community is corrupt or not.<sup>38</sup> In one of the speeches in book three of the *Florentine Histories*, we read, "Do not impute the old disorders to human nature, but to the times, and since times may change you may hope for better fortune for our city: if better institutions are created" (IF III, 5). The bond that kept the Roman republic together was constituted by the reciprocal imitation of the common good (*bontà*). The common good is desired or revered because the others revere it. As the foregoing analysis has suggested, the evil or good of necessity depends precisely on the modalities of a mimetic crisis, that is on desires. To put it bluntly, it is the historical condition of dissolution of order that shapes conflict and violence in human nature and thus determines the foundations of political order.

### **Violence, Scapegoating and the Foundation of Political Order**

It has become a commonplace to conceive of Machiavelli's concept of effectual truth as a plea for the technicity, pragmatism and moral autonomy of politics. This stance suggests that victims of political violence are subject to a choice or autonomous human decision. "Machiavelli substitutes necessity for divinity; he shows that since men are independent of divinity because of their necessities, they must decide independently according to those necessities. Men are independent of divinity but not free to build according to their own wishes, least of all in a state of hubristic rebellion against divinity" (Mansfield and Tarcov 70). And some pages later: "Having established the sovereignty of human necessity over the divine, he can

---

<sup>38</sup>D I, 17(13): "E si può fare questa conclusione: che dove la materia non è corrotta, i tumulti e altri scandoli non nuocono: dove la è corrotta, le leggi bene ordinate non giovano, se già le non sono mosse da uno con una estrema forza le faccia osservare tanto che la materia diventi buona."

interpret the divine in terms of human necessity" (Mansfield 74). This viewpoint comes close to readings of effectual truth that interpret Machiavelli's approach to violence as deliberately prone to rationalism and the technicity of the science of violent means and ends.<sup>39</sup>

But Machiavelli's treatment of sacrifices and violence as stabilizing elements in politics is more sophisticated than assumed by Mansfield or Manent.<sup>40</sup> The point here, and this is particularly important in a discussion of *The Prince*, is that effectual truth is based on acquisitive mimetic desires. It was remarked earlier, how Machiavelli mentions *umori* very often in connection with corruption, decay, and crisis. To this linkage one can add his exhortation on behalf of the reordering of a corrupt republic by the act of one man. While Machiavelli is silent about the actual unfolding and the final effect of violence, there is enough textual evidence to support the hypothesis that his propositions can be read as advocating a scapegoat victimage in the mimetic crisis of a corrupt state. As Sasso argued, the third book of the *Discourses* lacks a unifying element but takes much of the spirit from the *Discourses* I,18. In fact, wherever Machiavelli espouses the return to the beginning (*rinnovazione al principio*), the situation is corrupted with a crisis of undifferentiation, the primary theme in the *Discourses* I,17 and 18. As the most powerful remedy against corruption he recommends, "none more effective nor more certain nor more necessary than to kill the sons of Brutus."<sup>41</sup> Moreover, the founding murder<sup>42</sup> reflects the need to imitate the

<sup>39</sup>See for the opposite position Viroli (1998, 94-5) who argues that Machiavelli's most famous or infamous pages of the *Prince* and the *Discourses* are not so much an ethical investigation about moral standards and their violation but on the rhetorical issue of praise and blame.

<sup>40</sup>In a polemical statement, Manent argues that Machiavelli's concern is mainly to regain the legitimacy of earthly life. In order to achieve this, he shows that Christian revelation is non-violent and thus deceitful (false) and therefore worse than human violence. Manent's critique points to the fact that Girard remains in Machiavelli's lines, only adding a positive notion to it. This is, to his mind, absurd. If human culture is essentially founded on violence, then Girard's non-violent interpretation of Christianity only destroys humanity by stressing a non-violent fallacy.

<sup>41</sup>D I, 16: "E volendo rimediare a questi inconvenienti e a quegli disordini che le soprascritte difficoltà arrecherebbono seco, non ci è più potente rimedio né più valido né più sicuro né più necessario, che amazzare i figliuoli di Bruto." See also D III, 3(4): "E chi piglia una tirannide e non amazza Bruto, e chi fa uno stato libero e non amazza i figliuoli di Bruto, si mantiene poco tempo."

<sup>42</sup>D III, 3(2): "Non fu meno necessario che utile la severità di Bruto nel mantenere in Roma quella libertà che elli vi aveva acquistata, la quale è di uno esemplo raro in tutte le memorie delle cose: vedere il padre sedere pro tribunali, e non solamente condannare I suoi figliuoli

severity of Brutus. As Parel argued, "a) there always will be sons of Brutus, b) there always must be, so that the exemplary act can be performed. Severity, fear, and display of terror are necessary if the law is to be an instrument of republican liberty" (Parel 132).

These passages on the bloody reality of the effectual truth point to Strauss's contention that Machiavelli argues for tyranny pure and simple due to his destructive analysis of moral virtue and his emancipation of acquisitiveness. According to Strauss, Machiavelli's most emphatic attack on "all writers" is "directed...against...the traditional contempt for the multitude" (Strauss 293-94). However, throughout the *Discourses* I,58 Machiavelli distinguishes between the uncorrupted multitude and the dissolved multitude in a mimetic crisis. Machiavelli's advocacy of the use of extraordinary means such as violence and arms—implying the anti-moral stance of the founding violence—regards not just any collective group but only the one we find in a corrupt state of undifferentiation such as those exposed in D I,17 and 18 or in the third book of the *Florentine Histories*. His advocacy of the multitude refers to the multitude regulated by laws and authority. Strauss rightly perceived the stress on acquisitiveness but over-rated the functional-rational side of it.

Furthermore, the scapegoat mechanism is also thematized in its preemptive function as an institutionalized ritual in order to maintain republican freedom. Through the law of accusation, the change of humors should be provided with an outlet. In the *Discourses* I,7 Machiavelli presents the case of the patrician Coriolanus who wanted to starve his plebeian enemies for a while. In the same chapter, he argues that the impossibility of finding a scapegoat caused disorder in Florence. Most strikingly, however, he endorses the menace of a mimetic chain of mutual accusations and violence, provided that scapegoat mechanisms—institutionalized in a legal framework and executed by authority—are absent.<sup>43</sup>

---

a morte, ma essere presente alla morte loro."

<sup>43</sup>D I. 7(6): "E però non è cosa che faccia tanto stabile e ferma una repubblica, quanto ordinarla in modo che l'alterazione di quegli omori che l'agitano abbia una via da sfogarsi ordinata dalle leggi." D I. 7(8): "Quanto sia utile e necessario che le repubbliche con le leggi loro diano onde sfogarsi all'ira che concepe la universalità contro a uno cittadino: perché quando questi modi ordinarli non vi siano, si ricorre agli straordinari, e senza dubbio questi fanno molto peggiori effetti che non fanno quelli!" D I. 7(10): "Quanto male saria risultato alla repubblica romana se tumultuariamente ei fusse stato morto; perché ne nasceva offesa da privati a privati, la quale offesa genera paura, la paura cerca difesa, per la difesa si procacciano partigiani, da partigiani nascono le parti nelle cittadi, dalle parti la rovina di quelle." D I. 7(12): "Noi avevamo visto ne' nostri tempi quale novità ha fatto alla repubblica

Finally, true religious or political stability must be underpinned by some kind of sacred and permanent legitimation. The great founders such as Moses, Romulus, Cyrus or Theseus are praised and distinguished because—unlike Cesare Borgia or Agathocles or the unarmed prophet Savonarola—they did not only have temporary success but founded a lasting regime.<sup>44</sup> Moreover, they need to be held in veneration. What is important here is the fact that the veneration is linked to the discussion of the superiority of the use of arms and violence by contrast to unarmed prophets like Savonarola. Despite his high esteem of orders of religion that are praised above the founders of states (See D I, 9[1]; 10[1]; 11[2]), Machiavelli is silent with regard to Jesus, the unarmed prophet who founded Christianity. "Could it be that this silence implies that Jesus himself was 'ruined' by his crucifixion but ....chance led to the survival and spread of his beliefs, leading to the adoption of Christianity as the official religion of Rome?" (Masters 303, note 43). Such an assumption takes the cue from the viewpoint that through his critique of Christianity, Machiavelli revives the pagan myth of nature (Voegelin).

Yet, his critique of Christianity such as exposed in the *Discourses* II,2 coincides with the analysis of historical decay and undifferentiation in the *Florentine Histories*.<sup>46</sup> His high esteem for the founding moments seems to be of greater importance than his accounts of decay and crisis in Christianity. The reasons for the historical decay of Christianity bear strong resemblance to the preconditions of confusion and crisis that preceded the foundations of religions or states, namely *occasione*.<sup>47</sup> For Moses, this was Israel's slavery and oppression in Egypt, Romulus was exposed after his birth, Cyrus happened to find the Persians discontent by Median rule and the Medians themselves effeminate, while Theseus profited from the dispersion of the Athenians. A careful reading identifies any of these occasions as

---

di Firenze non potere la moltitudine sfogare l'animo suo ordinariamente contro a un suo cittadino...."

<sup>44</sup>This is underscored in D I, 2.

<sup>45</sup>*The Prince* 6: "...cominciano ad essere in venerazione, avendo spenti quelli che di sua qualità li avevano invidia, rimangono potenti, securi, onorati, felici."

<sup>46</sup>In both works, Machiavelli even uses identical terms for describing crisis such as depravity and humility.

<sup>47</sup>Machiavelli's negative stance towards religion is recently being substantially reassessed. For instance in Mansfield and Tarcov (xxxv), we read, "It is no accident that the mode of renewing republics by the sensational execution" (D III, 1[3]) bears a strange resemblance to the central mystery of the "Christian sect."

situations of mimetic crisis, of an abnormal state in which reciprocal mimetic violence may be resolved by the unanimous expulsion of a scapegoat victim.

According to Girard, mimetic collective violence is an unconscious and non-intentional process. In his analyses of the scapegoat and of the plague (Girard 1988), he demonstrated that myths and historical accounts of persecutions concur in legitimizing the scapegoat mechanism. In the cases of Oedipus, the Jews, or of Alfred Dreyfus, it was taken for granted that they were guilty (Girard 1982; 1988). Along these lines, Machiavelli irritates some of his critics because he creates an uneasy conscience by partly revealing that the mystery of guilt is rooted in social consensus (Voegelin 92). In this regard, Machiavelli's advocacy of sacrificial violence links up with the tradition of historiography, where it is the perpetrators who write history (Girard 1982), or with classical drama, where the social consensus is established through the expulsion of the scapegoat (Girard 1988). There is no doubt that "success retroactively determines how we think of historical events...Standards of 'praise and blame' are relative in time and place" (Masters 75).

### **From the Autonomy of Politics to the Dependence of Politics on Human Nature**

Different scholars have argued that Machiavelli's great innovation consists in separating elements of analysis that had belonged together in classical political philosophy. Thus, Machiavelli achieved the autonomy of politics through the detachment of morals from politics.<sup>48</sup> For Pocock this crystallized in a "drastic experiment in secularization" where a political action or process may develop entirely in a state of contingency (Pocock 190). Others argued that Machiavelli does not excel because he showed that politics is a struggle for power or that crime is expedient or that the end justifies the means. By contrast, Machiavelli's originality is to have discovered and articulated the inextricable dilemma according to which different systems of values are in conflict with each other without the possibility of a rational decision about them (Berlin 152). Thus, Machiavelli postulated the existence of two different moralities (Skinner 135).

The reassessment of the anthropological and psychological premises for crisis situations through a Girardian reading allows for some reserves on

---

<sup>48</sup>Benedetto Croce's axiomatic judgement (655) suggested that Machiavelli discovered the necessity and the autonomy of politics which is detached from ethics and thus beyond moral good and evil (quoted in Parel 94).

these viewpoints. It has been repeatedly pointed out that due to historical experiences, Machiavelli wrote with some covert meaning in mind.<sup>49</sup> On these grounds, it is questionable whether his vision of the necessity of violence means to make mankind independent from God, religion or any other emotional basis. Despite different intentions—that of the counsellor of Princes as opposed to that of the literary critic—the foregoing analysis has pointed to significant parallels between the works of Machiavelli and Girard. Girard's work has often been called deconstructive and it certainly is insofar as the radical reevaluation of texts and the far-reaching conclusions for a general anthropology are concerned. For our purpose, however, it rather helps to reconstruct some guidelines of Machiavelli's thought which have been underestimated so far. Contrary to Strauss's verdict on Machiavelli as a teacher of evil, the foregoing analysis argues that conflict and violence are subject to the essentially inter-individual and imitative nature of human beings. The rise of mimetic violence in crisis situations connects the malleability of human nature to the contingency of politics of the city. Such a linkage could lead to a new reading of the effectual truth. Machiavelli's realism not only contains central elements of mimetic theory in his analysis of human nature. Going beyond anthropological reflections, the mimetic nature of mankind is transposed into politics.

The reconstruction of the driving forces of political conflict and human nature through a Girardian reading thus achieves a double complementarity. Machiavelli's effectual truth is commonly equated with the autonomy of politics. By contrast, our reading of Machiavelli's work casts doubts upon this widespread assumption. Machiavelli's political theory seems to be more closely connected to and dependent on the vicissitudes of human nature. The contingency of effectual truth is thus located at the intersection of an imitative anthropology and a philosophy of history that is linked to it. By linking Machiavelli's anthropological and cultural premises to politics, it appears that human action and decision-making derives from an essentially

---

<sup>49</sup>Jean-Jacques Rousseau argued that Machiavelli disguised his love of liberty on purpose. "Machiavel était un honnête homme et un bon citoyen: mais attaché à la maison de Médicis il était forcé dans l'oppression de sa patrie de déguiser son amour pour la liberté. Le choix seul de son exécration héros manifeste assez son intention secrète et l'opposition des maximes de son livre du Prince à celles de ses discours sur Tite-Live et de son histoire de Florence démontre que ce profond politique n'a eu jusqu'ici que des lecteurs superficiels ou corrompus." (*Le Contrat social* III, 6, n. 1). Furthermore, Machiavelli's personal experience of imprisonment and torture renders the hypothesis of a covert meaning of his work all the more plausible (See esp. Masters).

non-autonomous process. When human behavior succumbs to the conditions of mimetic crisis, politics become dependent on inter-individual psychology and reciprocal desires. Conversely, such a process of reconstruction suggests the relevance of Girard's thinking for modern political theory. The nature of conflict and political order in Machiavelli's work has located mimetic desire at the source of politics and points to the emotional character of modern politics.

## WORKS CITED

- Aaron, Raymond. 1993. *Machiavel et les Tyrannies Modernes*. Paris: Fallois.
- Baron, Hans. 1955. *The Crisis of the Early Italian Renaissance: Civic Humanism and Republican Liberty in the Age of Classicism and Tyranny*. 2 vols. Princeton: Princeton UP.
- Berlin, Isaiah. 1982. "Die Originalität Machiavellis." *Wider das Geläufige*. (Translated from "Machiavelli's Originality." *Against the Current*) Frankfurt/Main: Europäische Verlagsanstalt.
- Bock, Gisela. 1990. "Civil discord in Machiavelli's *Istorie Fiorentine*." In Gisela Bock, Quentin Skinner, and Maurizio Viroli, eds. *Machiavelli and Republicanism*. Cambridge: Cambridge UP.
- Burke, Peter. 1974. *Tradition and Innovation in Renaissance Italy: A Sociological Approach*. Fontana Edition.
- Girard, René. 1985 (1961). *Mensonge romantique et vérité romanesque*. Paris: Hachette (Collection "Pluriel").
- . 1978. *To Double Business-Bound*. Baltimore: Johns Hopkins UP.
- . 1978. *Des choses cachées depuis la fondation du monde*. Paris: Grasset.
- . 1982. *Le Bouc émissaire*. Paris: Grasset.
- . 1990. *Shakespeare: Les feux de l'envie*. Paris: Grasset.
- . 1998 (1972). *La violence et le sacré*. Paris: Hachette (Collection "Pluriel").
- Greene, Thomas. 1984. "The End of Discourse in Machiavelli's Prince." *Yale French Studies* 67.
- Grote, Jim. 1998. "The Founding Murder in Machiavelli's *The Prince*." *Contagion* 5.
- Koselleck, Reinhart. 1969. *Kritik und Krise: Ein Beitrag zur Pathogenese der bürgerlichen Welt*. 2nd ed. Freiburg/München: Verlag Karl Alber.
- Lefort, Claude. 1992. "Machiavel et la vérité effective." In *Ecrire à l'épreuve du politique*. Paris: Calmann-Lévy.
- Machiavelli, Niccolò. 1984. *Discorsi sopra la prima deca di Tito Livio*. Introduzione di Gennaro Sasso, premessa al testo e note di Giorgio Inglese. Milano: Biblioteca Universale Rizzoli.
- . 1962. *Istorie Fiorentine. Opere VII*. Milano: Feltrinelle Edizione.

- . 1990. *Il Principe*. Milano: Biblioteca Universale Rizzoli.
- Manent, Pierre. 1982. "La leçon de Ténèbres de René Girard." *Commentaire* 19.
- Mansfield, Harvey C. 1996. *Machiavelli's Virtue*. Chicago: U of Chicago P.
- Mansfield, Harvey C. and Nathan Tarcov, eds. 1996. *Discourses on Livy*. Chicago: U of Chicago P.
- Masters, Roger D. 1996. *Machiavelli, Leonardo, and the Science of Power*. Notre Dame: U of Notre Dame P.
- Münkler, Herfried. 1981. *Machiavelli. Die Begründung des politischen Denkens der Neuzeit aus der Krise der Republik Florenz*. Frankfurt/Main: Fischer.
- Parel, Anthony J. 1992. *The Machiavellian Cosmos*. New Haven and London: Yale UP.
- Sasso, Gennaro. 1993. *Niccolò Machiavelli*, Vol. I *Il pensiero politico*, Vol. 2 *La storiografia*. Milano: Società editrice il Mulino.
- Pocock, John A. 1975. *The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition*. Princeton: Princeton UP.
- Skinner, Quentin. 1978. *The Foundations of Modern Political Thought*. Vol. I. London/New York/Melbourne: Cambridge UP.
- Strauss, Leo. 1969. *Thoughts on Machiavelli*. Seattle and London: U of Washington P.
- Viroli, Maurizio. 1995. *For Love of Country*. Oxford: Oxford UP.
- . 1998. *Machiavelli*. Oxford: Oxford UP.
- Voegelin, Eric. 1995. *Die spielerische Grausamkeit der Humanisten: Studien zu Niccolò Machiavelli und Thomas Morus*. München: Wilhelm Fink Verlag.

***SENECA FALLS INHERITANCE:*  
DISENTANGLING WOMEN,  
LEGISLATION AND VIOLENCE IN  
MONFREDO'S HISTORICAL CRIME  
FICTION**

Rosemary Erickson Johnsen

*National Coalition  
of Independent Scholars*

That men were not prevented by courts or clergy from mistreating their wives meant that, to society's institutions, women had no value. A man could be jailed, even hanged, for stealing another man's horse, but not even reproached for beating his wife. (Miriam Grace Monfredo, *Through a Gold Eagle*)

Miriam Grace Monfredo's feminist genre fiction, her "history-mystery" series featuring nineteenth-century librarian Glynis Tryon, offers an opportunity to find a way of reading literary texts that is not only feminist, but also Girardian. Girard's work provides two clear ways to construct feminist readings directly, without the mediation of overtly feminist theory. First of these is Girard's respect for the "quasi-theoretical" potential of literary texts, *especially* some of those which attend to apparently trivial matters. In *Deceit, Desire and the Novel*, Girard argues that (male) novelists offer insights unavailable elsewhere, including those scientific fields that claim to know more than everyone else. In its valuing of questions about snobbism, for example, *Deceit, Desire and the Novel* offers a woman-friendly model. The (male) novelist's question about snobbism is "too frivolous" for (men of) science, but Girard argues that "in his probe of snobbism the novelist is asking himself in his own way just what

might be the hidden springs that make the social mechanism tick" (220). While I regret the fact that Girard's examples and language often ignore women, I believe his conviction that attention to matters socially coded as superficial and frivolous can produce great insight is one feminist critics can appreciate.

The second Girardian tool feminists can rely upon is the method of reading texts of persecution described in *The Scapegoat*. Girard suggests how we might read texts of persecution written by naive persecutors in ways that identify with the persecuted and gather the information unintentionally supplied by the authors: "I call those persecutors naive who are still convinced that they are right and who are not so mistrustful as to cover up or censor the fundamental characteristics of their persecution. Such characteristics are either clearly apparent in the text and are directly revealing or they remain hidden and reveal indirectly" (8). Monfredo's crime novels, set in the mid-nineteenth century and focusing on such disenfranchised groups of citizens as women, slaves, Native Americans, and free African-Americans, depend for their verisimilitude on her ability to read historical sources and literary predecessors in just such a way.

Accuracy requires that Monfredo's works be categorized as feminist historical crime novels, however awkward such a lengthy description may be. Her novels observe the principles not only of both genres—historical fiction and detective fiction—but also the political position of feminism, and they meet these multiple demands with considerable skill. Furthermore, resolution in crime fiction depends upon the law; working within that tradition, Monfredo is called upon to seek solutions *within* the system, to look for justice as the result of a proper functioning of the legal and social systems. Information gathered, whether by the official representatives of the law or by amateurs, is turned over to the authorities. While her novels clearly respect that tradition, they also point out some limits to the judicial system's ability to contain violence. Girard's model of its functioning, as described in *Violence and the Sacred*, depends upon an equality that whole segments of the society Monfredo is depicting do not in fact enjoy: "The judicial authority is beholden to no one. It is thus at the disposal of everyone" (23). If women cannot own property, enter into contracts or sit on juries, in what sense is the law at their disposal? Monfredo's exploration of this question takes its place alongside Girard's explanation of the legal system's proper functioning; if his theory reveals how it works when all are enfranchised, her fiction suggests some of the consequences that result from the existence of disenfranchised subjects.

### Our *Seneca Falls Inheritance*

In her first book, *Seneca Falls Inheritance* (1992), Monfredo offers a theory for the reduction of violence against women: provide women with *complete* legal equality. The context for her theory is 1848, but the principle is by no means irrelevant 150 years later. The novel illustrates the belief that scattered individual rights are insufficient, even dangerous: in a society orchestrated against women, any identifiable powers are perceived as a threat by the fully-enfranchised. Indeed, when Rose Walker dares plan to exercise her newly-granted right to her own inherited property, she is murdered. With even limited control over her own property, she is worth more dead than alive to her husband, accustomed as he is to complete power over her person and her assets.

What is the Seneca Falls inheritance? In Monfredo's plot, the inheritance is a literal one and the trigger for the first murder in the book: Rose Walker learns, after his death, of her father's identity and the large inheritance to which she is entitled. She travels to meet the heir apparent, her half-brother Karl who is now running their father's farm in Seneca Falls, New York. She wants to make known both herself (as his half-sister) and her legitimate claim to half of their late father's estate. She is repudiated by Karl and then murdered by her ne'er-do-well husband, Gordon Walker, who has his own plans for the inheritance. Two more victims follow, both perceived by the killer as dangerous witnesses: the first, a prostitute at Seneca Falls' tavern/brothel who knows he was in town the night of his wife's murder, then a local working-class drunk who takes Rose Walker's handbag after the murder. The crime is eventually disentangled through the good sense and woman's perspective of Glynis Tryon, the town's librarian; her friendship with local law enforcement—in the persons of the town constable and principle attorney—allows her to contribute to the discovery process.

Monfredo's background includes degrees in history and library/ information science; in addition to her writing, she is the director of a legal and historical research firm. Her Glynis Tryon novels have been described as "part of a thoughtfully planned body of work to tell the story of minority and women's rights" (Heising 140). Her research for these books is extensive and painstaking. SFI is informed by many historical sources, both archival and published; but among its inspirations, surely, is a literary text, Susan Glaspell's short drama, *Trifles* (1916), in which women discover the solution to a crime by reading domestic clues ignored by their husbands. Notably, Monfredo's text embodies the same truth-finding mechanism as *Trifles*; while the official (male) resources are directed ineffectually, the domestic

(female) resources unearth the relevant information. What the men in *Trifles* are looking for is a motive, something to show a jury conclusively that Mrs. Wright killed her husband; the women are left in the kitchen while the men view the scene of the crime upstairs. The contrast between the "trifles," the "little things" (264, 269) the women are concerned with and the "evidence" and "awfully important things" (269) the men look at is accepted by all of the characters, both male and female. The women finally take refuge in that notion when they decide to protect Mrs. Wright and suppress the evidence of her motive for murder. The Sheriff's wife, Mrs. Peters, who is "married to the law" (277) in the eyes of the men, exclaims: "My, it's a good thing the men couldn't hear us. Wouldn't they just laugh! Getting all stirred up over a little thing like a—dead canary. As if that could have anything to do with—with—wouldn't they *laugh!*" (276). In fact, both women know full well the dead bird, along with the other domestic "trifles" they have recognized in the kitchen, provide the solution sought by the men, who appear periodically in the kitchen to mock "the ladies."<sup>1</sup>

One of the satisfactions for readers of SFI is that the *Trifles* truth-finding mechanism is visible twice: first, for readers who are already at-tuned to it, and then a second time, in the public exposition of the facts that Glynis provides in the trial and among the principals later.<sup>2</sup> When the town Constable, Cullen Stuart, asks Glynis to look through Rose Walker's belongings at the hotel—suitable task for a woman—she notices not only that there are too many clothes for a brief trip to upstate New York, but the wrong kind of clothes for the weather. Why bring a fur-trimmed cape and

---

<sup>1</sup>It is not my intention here to develop a reading of *Trifles*, although it would be well worth doing so; its significance to my present undertaking is that it shows Monfredo conducting various kinds of research, some of them clearly compatible with Girard's ideas of how readers can discern the hidden truths of a culture. *Trifles* has a place in the universities, but Monfredo's work is much more widely disseminated and finds readers *Trifles* could never hope to attract. The simplest demonstration of this difference is publication: as of this writing, *Trifles* is in print only as a supplement to a collection of Glaspell short stories published by a university press. Monfredo's work, in contrast, is in print in mass market paperback: all of her Glynis Tryon novels, plus two anthologies of historical mysteries co-edited with Sharan Newman (author of the medieval feminist history-mysteries featuring Catherine LeVendeur).

<sup>2</sup>Those readers who can see the importance of these "trifles" add to their pleasure as mystery readers, not just as feminists; for as Coward and Semple note, "one of the pleasures of the unfolding narrative is whether the reader will be able to solve the mystery before the detective. Yet the pleasure is a delicate one. Solving the crime too early is unpleasurable; real satisfaction comes from the work of trying to foresee the end but not quite having done so" (50).

muff? The jewelry on deposit in the hotel vault seems similarly extravagant for the brief stay Rose Walker is presumed to be making. Further, Glynis finds railroad ticket stubs from Rose Walker's journey to Seneca Falls, but no return tickets. Later, at novel's end, she explains the significance of these findings to the court which would be incapable of understanding them without an interpreter. Walker's lawyer tries to suppress her testimony on the grounds that she is not "a qualified expert" in these matters; ironically, this attempt signals her efficacy as interpreter. Rose Walker's belongings demonstrated, to those capable of reading their message, that she was not making a brief visit to western New York, as her husband claimed, but was in fact leaving him and Boston permanently behind her.

This is the kind of work the women in Glaspell's play undertake while their husbands are looking elsewhere. Glaspell's play offers Monfredo a method for coping with the limitations of her historical sources and precedents. The literary text provides Monfredo a way of reading clues, a way similar to that in which Girard invites us to read the texts of persecution. She searches the (male) historical record for information about those it holds in contempt or disregards. She faces the problem described by Ruth Hoberman in her book on women's historical fiction set in ancient Greece and Rome as "walk[ing] a narrow line between the pressures of plausibility—which require that they reinforce their readers' assumptions about the past—and subversion" (4). Monfredo's literary predecessor provides the tools with which to examine an incomplete record, one which omits the "trivia" of female existence. Monfredo must work in the gaps of her historical sources, striving for accuracy but required to hypothesize the circumstantial details necessary for her project; she interprets, imagines, imitates.

Our Seneca Falls inheritance is also much larger and more enduring than the fictional drama enacted in the pages of the book, as Monfredo is at pains to remind readers through other characters and the historical information she includes. The Methodist Church in Seneca Falls was the site of the 1848 Woman's Rights Convention, organized by Elizabeth Cady Stanton and attended by such famous figures as Lucretia Mott and Frederick Douglass. At the time of the convention, Susan B. Anthony was a teacher and member of the temperance reform movement; she read of the convention and its audacious Declaration of Sentiments, which was based upon the Declaration of Independence but inclusive of women. A few years later, she joined with Cady Stanton and the two of them laid the groundwork for the passage of U.S. women's suffrage in August, 1920. In the broader sense, then, our inheritance from Seneca Falls is immense and continuing.

The novel reminds readers of its larger context in several ways. Elizabeth Cady Stanton is one of its characters, a friend of Glynis Tryon's, who provides important information about Rose Walker's family and appears during the trial at novel's end. Monfredo's historical notes before and after the primary text provide information about the convention, its famous participants, and other related events of the period. In the denouement, the classic crime-novel scene where all is explained, Glynis reflects on the Seneca Falls inheritance: when asked what made her suspect Walker, she answers " 'It was the convention.' " Her (male) audience is incredulous: "They all stared at her. Quentin Ives finally said, 'The Woman's Rights Convention made you suspect Gordon Walker?' " (276). Her answer elucidates an awareness of the potential import of their convention: " 'I sat in the Wesleyan Chapel wondering just what we women had started. What we would be leaving the next generation: my nieces, and grandnieces to come, and Elizabeth Stanton's daughters and granddaughters not even born yet. Would what they inherited be a benefit to them as we hoped—or a loss for some that we couldn't foresee?' " (276). In her intuition that the consequences of this positive move could be negative for some of those women it was designed to aid and support, Glynis arrives at an understanding of the sacrificial crisis they are provoking. Nineteenth-century America is a society built around a rigidly-demarcated system of differences; into that "regulated system of distinctions in which the differences among individuals are used to establish their 'identity' and their mutual relationships" these women are introducing a very real "crisis of distinctions" (Girard 1977, 49). Violence is inevitable, and the events of SFI embody the logical consequences of erasing one difference and calling for the eradication of still more.

### **Legislation for Women**

On April 8, 1848, the New York State Married Women's Property Act, the first legislation of its kind in the United States, became law. The events of the novel begin in June, so Rose Walker would have been one of the very first to avail herself of its protection. The Act granted women some power over their own property, superseding a situation where husbands could dispose of their wives' property however they chose. The existence of that law puts Rose Walker in danger from her husband, as he decides he must kill her to take possession of her inheritance. She becomes a murder victim for two reasons, one practical and one metaphysical. First, as someone who owns property, she has become valuable enough to kill; formerly, as Walker's property, with no means of controlling either her money or his behavior,

she was harmless. The other change precipitated by this legislation is a new relationship with her husband: they have become susceptible to mimetic entanglement, something not possible when she was more obviously his property and not herself a property owner.

Monfredo's novel shows readers that the 1848 Act is not enough, by itself, to provide women with control of their property. Glynis's explanation, in response to Rose Walker's request for information, emphasizes the Act's limitations even more than the right it confers:

"It deals mainly with inheritance, simply allowing a married woman to own property and gifts that have been willed or given her, free from her husband and her husband's debts. . . . But that's hollow. Women can't dispose of the property themselves unless it's outright cash, which is usually not the case, because we still don't have the right to sign contracts. A woman can't sell what she's inherited, or even give it away, without her husband's signature of approval. And of course the law doesn't touch the problem of a working woman's wages. They still belong to her husband." (9)

Glynis's explanation highlights women's exclusion from existing legal protections: contracts and wages are just two of the areas where women do not benefit by the "proper" functioning of the system. The weakness of women's position is further emphasized by the male supporters who enabled passage of the bill: the impetus behind its enactment is not abstract justice, but the desire of wealthy fathers wanting to keep their money from being "handed over to spendthrift sons-in-law after they died" and businessmen wanting the shelter of their wife's names to protect assets from creditors. The law, limited as it may be, strikes Glynis in a manner that again raises the issue of inheritance: " 'the fact that it passed at all is encouraging to women who are struggling for some of the same legal rights men have. So this law may be more important over the long haul than it now appears' " (10).

The long haul, while part of American women's inheritance from 1848 New York State events, is of no use to Rose Walker. She needs immediate redress. Fully aware of this, she becomes agitated, even frightened, in Glynis's library. Glynis, and Monfredo's readers, learn later that Rose has decided she cannot wait to talk to Elizabeth Cady Stanton about this new law; instead, she goes to her father's farm to make a fruitless appeal directly to her half-brother. Later that night, she is called away from her hotel by means of a note and murdered by her husband.

Glynis calls attention to the paradox of a legally-bestowed right posing a danger to its intended beneficiary: "I suddenly thought what a terrible irony it would be if that law, designed to protect women, had caused a woman's murder!" (276). The novel is not endorsing a situation where women are "protected" by being denied adult status, however; its larger agenda shows that nothing less than full equality in the law is required. The change, the newness of her right, contributes to the volatile situation; accustomed to thinking of his wife and her belongings as his property, Walker is infuriated by her newly-granted power. Just as she comes into a large inheritance, she also comes into the right to choose what she will do with it; the consequences suggest that one law alone is insufficient protection in a hostile climate. Girard's model of the modern judicial system can be seen as an expression of a principle of equality yet to be achieved, even now. But his theory of mimetic desire and the potential violence of mimetic relations corroborates Monfredo's position that a gradual and protracted concession of partial equality to women will only exacerbate the conflict and provoke violence.

As the novel demonstrates, mid-nineteenth century American society is extremely hostile to women, and often downright dangerous to them. The most obvious victims, of course, are the murdered women, Rose Walker and the tavern prostitute. The latter is especially vulnerable, as she lacks even the meager protections afforded her more respectable sisters.

Much of the violence against women depicted in the pages of *SFI*, however, is fully legal and even socially acceptable. Examples abound; a few will suffice to illustrate the point that for women, nineteenth-century America *was* a primitive society of ritualized differences. Nell Steicher, Karl's wife, is financially and social secure, but she is an abject and exhausted wife and mother. Glynis sees her in town: "She moved like an old woman, Glynis thought. Nell's skin used to look as though it had been dipped in cream; now it looked like parchment. And another baby on the way. Four children in six years, was it?" (23). And yet Nell refuses to attend the convention, citing Bible verses about the need for women's subordination and silence. At the end of the novel, she is resigned not only to paying what she sees as the price for her husband's sin against his half-sister but to the facts of life as they stand: "My mother told me that if I wanted to raise four children, I'd have to bear eight" she tells Glynis (280). The town doctor, aware that Nell has had a stillbirth and a miscarriage, believes it is too soon for her to be having another baby safely but, as Glynis's mother had told her, "the only way to stop having babies was to die" (159). A character

dead before the novel's events begin is young Annie Monroe: her first delivery is dangerous, but her (male) religious leaders and her husband refuse to let Dr. Ives attend that birth, afraid that he might administer anesthesia, a then-new procedure. These men can accept that it is God's will not only that the breech baby died, but that the mother died a week later from infection and exhaustion (159); no doubt there will be another Mrs. Monroe. Monfredo takes advantage of her historical setting to examine violent attitudes towards women; we don't recognize the same idea behind specific practices that we accept today.

Another telling example in the novel is Daisy Ross. Her husband, Bobby, ultimately becomes one of Walker's victims; before that he is a drunken, thieving, violent man. We first see him drunk in the street, after he has been thrown out of the hardware store for making a scene. One of the Steicher's farm hands, Ross has been found drunk in the fields once too many times and been fired by Karl. Glynis, observing the scene, worries about Daisy: "and young Daisy Ross worked herself to death taking in laundry—so Bobby could take the money for whiskey. But what was Daisy supposed to do? She couldn't leave him; she had five children. The law said Bobby could keep her money *and* the children, even though he was drunk half the time" (27). The weight of the law is on Bobby's side; Daisy has no redress at all. Later, shortly before she finds the purse he stole from Rose Walker, there is a scene that shows him physically terrorizing his wife and his frightened children. Daisy Ross, powerless against him, is left only to "hope he dies and goes to hell" (122).

### Unanimity

I have been describing the concrete ways in which women in SFI are disadvantaged, held down by law and order, but what happens if we think of the characters, male and female, in SFI as antagonists and equals? Girard writes about the reciprocal relationship between characters in tragedy; crime fiction is not Greek drama, to be sure, but its subject matter puts it at least provisionally in the category of tragedy. Of such antagonists, Girard argues that "on both sides everything is equal; not only the desire, the violence, the strategy, but also the alternation of victory and defeat, of exaltation and despair" (Girard 1977, 158). Seen in this way, Gordon Walker is simply one agent in the struggle; he is the law-breaker whose interests coincide with the many (male) law-observers and upholders. The rivalry automatically established by the inheritance is between the half-siblings Rose and Karl; when Walker kills Rose, he does not take her place in the rivalry, for the

court is deciding whether *Rose's* claim is legitimate, and it is still *Rose* whom Karl seeks to deny. In the overall struggle, ranged against Walker are his wife and several other women, including his mother-in-law, who strikes the final blow.

To perceive the male and female characters as antagonists and equals is more difficult than it ought to be, and the difficulty tells us something about the condition of women in that society: "From within the system, only differences are perceived; from without, the antagonists all seem alike.... Only the outside perspective, which takes into consideration reciprocity and unity and denies the difference, can discern the workings of the violent resolution, the cryptic process by which unanimity is reformed against and around the surrogate victim" (Girard 1977, 159). The detecting figure is clearly akin to the outside perspective; the sleuth observes and analyzes. But the outside perspective of an independent judicial system does not erase the differences between men/people and women/objects, because they are concrete and enduring differences, made part of the system itself.

Does this problem—the enduring nature of these specific gender-based difference—simply suggest some kind of failure or weakness in Girard's theory?<sup>3</sup> While Monfredo's novel does indeed prompt us to ask such a question, the answer will only come through repeated critical practice. Those who are certain that Girard's theory does fail in this regard are unconvincing, often because they reject it out of hand. For example, Teresa deLauretis reads *Violence and the Sacred* as being exclusively about men based on a rigid (and perhaps oversimplified) series of steps. Girard's concept of reciprocity, in her view, ensures equality and thus maleness.<sup>4</sup> She sees Girard and others as working "within an epistemology wherein 'biological' sexual difference is the ground (in Peirce's term) of gender. In that perspective, woman remains outside of history" (252-53).

Martha Reineke faults Girard for ignoring gender difference, placing Julia Kristeva above Girard in her understanding of these matters. Reineke declares that in her own work, "Girard's inattention to the role of sexual

---

<sup>3</sup>Martha Reineke writes that "We can trace to a...blind spot in his theory...his inadequate attention to the role of sexual difference in sacrificial violence....Girard does not attend adequately to soma" (88).

<sup>4</sup>"The distinctive trait here is the 'reciprocity' and thus, by implication, the equality of the two terms of the violent exchange, the 'subject' and the 'object' engaged in the rivalry; and consequently the masculinity attributed, in this particular case, to the object. For the subject of violence is always, by definition, masculine: 'man' is by definition the subject of culture and of any social act" (250).

difference in the sacrificial economy is challenged, and sexual difference emerges as a central theme in the sacrificial theory advanced here" (73). She suggests that to understand how and why women fare differently in the sacrificial order, we must turn away from Girard and call upon Kristeva, who "uncover[s], as Girard has not, a sexually differentiated violence in sacrifice" (81).<sup>5</sup> In my view, Reineke forfeits an opportunity to extend the reach of Girard's model. All productive theories have application beyond the contexts in which they are first presented; only critical practice can determine the efficacy of a theory for a particular context or purpose. To offer one obvious example, Edith Wharton is unmistakably a novelist of mimetic desire, in spite of her non-inclusion in *Deceit, Desire and the Novel*. After all, Girard does not present the writers included in that work as the sole proprietors of mimetic insight. Reineke, in turning from Girard at this point in her commentary, has passed up the opportunity to see if Girard's model can produce useful feminist readings of texts.

There are obstacles to making the attempt, however. A major stumbling block for me in constructing a Girardian reading of SFI was language; at times in my essay, I have tried to emphasize some of the places where the male-centered language provided an extra hurdle. A universal theory such as Girard's deserves inclusive language. It would be beneficial to all of his readers to be sure that "man" or "men" is first, an intentional reference to men only and second, that there is a context-specific reason for it being a male-only reference. If "men" is sometimes used in the way I have just described, but sometimes as a general term presumed to include both men and women, Girard's otherwise clear writing becomes muddled. That the term "men" does not include both men and women is demonstrated elegantly by the Seneca Falls Convention's Declaration of Sentiments. Its striking assertion that "we hold these truths to be self-evident: that all men and women are created equal" emphasizes the exclusion of women from the original Declaration. Indeed, if the world of novels is made up of "men and things" (Girard 1966, 216), then women must be "things." Too often, women are seen in merely functional terms, for the "things" they are or the purposes they serve.<sup>6</sup>

---

<sup>5</sup>When seen in the context of Patricia Elliot's very interesting dissection of the discourse of mastery, Reineke's claims being presented in that discursive mode seems ironic: after all, she is espousing Kristeva's theory, which takes pride in its analytic discourse.

<sup>6</sup>In discussing the Gospel's rendering of Pilate's decision, for example, Girard places Pilate's wife into just such a functional role: "It seems to me that John introduces the character of the wife in order to make Pilate's decision less easy and more revealing (1986, 106). She herself

Patricia Elliot writes that "I believe the desire to analyze the sacrificial logic of mastery in order to dissolve it is a gender-specific desire, a feminine desire to refuse victimization....As a woman, one is a victim of the sacrificial logic and therefore in a position to desire its subversion" (208). Such an interpretation implies that only women are concerned with this task, and their concern is nothing other than self-interest; furthermore, it keeps the emphasis on women as victims.<sup>7</sup> It is potentially more useful, I believe, to try to use Girard's theory for feminist purposes. Girardians can find something more valuable by considering Elliot's sense of the relationship between feminism and male-oriented theory: as a specific example, she identifies "sexual difference as a site of power [as] the point where feminist concerns both intersect with and intervene in the theory of Michel Foucault" (5). If Monfredo's novel inspires the question about "blindness" in Girard's theory, I do not believe turning from Girard's model will provide the answer. Instead, we need more Girardians relying on mimetic theory to explore those intersections and interventions invoked by Elliot; continuing critical practice will eventually provide an answer. Girard himself insists upon the power of some literary works to create and convey knowledge; indeed, *Deceit, Desire and the Novel* is predicated on that power. In "*To Double Business Bound*" he refers to this "quasitheoretical voice in the writers of mimetic desire" and states that his "own theory of mimetic desire comes from literary texts" (x, vii). In my view, the answer to this question about a weakness or failure in Girard's theory will emerge as feminist critics construct Girardian readings of literary texts, not as they debate terms among themselves and bring in other theorists to "correct" Girard.

Let me return, then, to the "real investigative power" (Girard 1978, x) of Monfredo's novel. It takes the public unmasking of Gordon Walker as his wife's killer to rally support for Rose Walker—too late to do her any good, of course. While she is alive, her attempt to claim her inheritance under the terms of her new right has provoked unanimous antagonism toward her and her mission. Girard's discussion of rites of passage sheds some light on her

---

is irrelevant, not fully real: she simply serves to make a point about her (male) spouse. Her "importance" in Girard's discussion is as an influence rejected by the real (male) character.

<sup>7</sup>Elaine Showalter wrote about two streams of feminist criticism: feminist critique, which exposes problems in literary and critical texts, and gynocritics, which considers "woman as the producer of textual meaning" (128). Her terminology has not taken hold, but I think the distinction is useful and important. Much of what has been attempted so far by feminist critics looking at Girard's theory has been "feminist critique"; in attempting to apply the theory to Monfredo's novel, I am following the path of "gynocritics."

experiences: "the slightest change in the status of an isolated individual is treated as if it carried the potential to create a major crisis" (1977, 281). The context for this remark (and others cited below that correspond to what Monfredo shows of Rose Walker's experiences) is rites of passage in primitive societies. The context tells us two things: one, as I have already suggested, nineteenth-century America *was* a primitive society for its disenfranchised members, and two, that as women gained rights, they were like adolescents moving into full adulthood. An adult woman was not equivalent to an adult man in autonomy and freedom; the transition was not formalized as a rite, but clearly shares some of the features of those rites as described by Girard.

With her new knowledge of her paternity, and with the support of the new law, Rose Walker makes the courageous decision to gather up a few pieces of her old life and set off on a new one. From that point, she faces nothing but skepticism and hostility. Many of those who are shocked by Gordon Walker's criminal behavior would have supported his rights while his wife was alive. Karl Steicher denies that she is his half-sister; in fact, he denies that such a person exists, even though he has seen the record of the birth in the family Bible. His subsequent justification of his conduct is weak, but his repentance after Walker's exposure is real enough: he offers to give Mary Clarke "her" half of Rose's portion of the inheritance (273). This offer is a belated recognition of his half-sister's claim on the estate, but also of her right—as granted by the new Act—to distribute it autonomously. Meanwhile, Karl's wife Nell, after a debilitating miscarriage, believes her loss to be God's punishment for Karl's behavior:

"There will be others," she said. "There *will* be others. If the Lord has forgiven."

Glynis sighed. She knew what Nell was saying. And if she had believed in a wrathful God, as Nell did, she too would probably believe that He had wreaked a terrible vengeance on Karl Steicher: the death of a daughter for a sister denied, for greed, for the sins of the father...

And Nell? The innocent must suffer with the guilty? So it would seem. (280, text ellipses)

Those who commit the wrongs, and those who suffer, are not the same people: in this instance, the crime and punishments mirror the judicial system in that the disenfranchised—Karl's half-sister, wife, and daughter—are perceived to be "paying" on his behalf.

One person from whom Rose Walker deserves considerable support is Edwin Vail, the man she intends to marry after she has divorced Walker. Even he advises her against relying upon the new law. In the letter he writes as she prepares to set out on her journey, he describes her plan as "complicated and taxing" and advises her to "please take great care, as you may very likely encounter resistance, as well as a fair amount of skepticism" (182, 182-83). His comments are hardly a ringing endorsement of her courage and good character. His letter to Glynis, explaining some of Rose Walker's history, strikes similar notes: "I urged her not to go. I felt it might be dangerous for her. How appallingly correct I was proved to be. I also tried to explain to her that any property she might inherit would immediately become her husband's. She felt passage of a recent New York law would prevent that from happening. And also, she wanted to see where her father had lived, and have the opportunity to meet her brother" (261). Vail seems to accept that it is dangerous for a woman to act upon a right that is legitimately hers, one of the few rights the legal system sees fit to bestow upon her. Girard observes that "the individual who is 'in passage' is regarded in the same light as a criminal or as the victim of an epidemic: his mere physical presence increases the risk of violence" (1977, 281). Certainly *her* mere physical presence had such an effect, and we see that her (male) friend Vail does regard her in an unfavorable light. Her behavior appears suspect to him.

So unanimous is the trouble Rose Walker faces, even Glynis inadvertently snubs her. When Rose Walker comes to the library, directed there by Constable Stuart to find Glynis (who is a likely informant about Elizabeth Cady Stanton's whereabouts), she spots the Steicher family Bible which was sent there in error along with some books Friedrich had donated. The Bible is enormously significant to her: it is a piece of history for the family she only recently learned she belongs to, and it probably contains evidence of her claim to be Friedrich's daughter. When she asks to see it, Glynis rebuffs her: " 'I'm sorry, no. It's a family Bible, and rather private, I would think.' Mrs. Walker abruptly turned and walked to the bookshelves. Glynis stared after her. The woman seemed offended" (8-9). After Rose Walker's claim has become public knowledge, Glynis suddenly realizes what she has done: " 'It was her father's Bible—and I wouldn't let her touch it. Told her it was private. A family possession!' " (59). Glynis is a librarian, a keeper of knowledge, but she too is bound by social norms. Under pressure from the Rev. Justine, for example, she refuses to remove *Jane Eyre* from the library but she does agree to shelve it above eye level. In this instance, she perceives Rose Walker as an unauthorized "user" of the Bible and quite properly

denies her access to it; only later, with more complete information, does she see the error she has made. Again there is a parallel with Girard's understanding of rites of passage: "in some societies the individual in passage is stripped of his name, his history, and his family connections; he is reduced to an amorphous state of anonymity" (1977, 282). Glynis lacks the information she needs about Rose Walker because Rose has been stripped of *her* name (Steicher to Clarke to Walker), *her* history, and *her* family connections. How much this state of affairs is generally true of women's lives cannot be taken up here, but it is a thought-provoking description.

Facing such comprehensive lack of support, Rose Walker understandably seeks to speed up the process, to find a quick resolution. She offers Karl a quick way out; as he reports during the trial, " 'She told me she'd leave town if I gave her ten thousand dollars cash.' " His response to her desperate request? " 'I laughed—called her an impostor! Told her to get off my property' " (252). Once Walker files his legal claim, Karl decides to offer him the same amount " 'to get out of our lives' " (170), explaining to his lawyer that \$10,000 was the amount Rose Walker had asked for: " 'That's less than ten percent of the estate', said Merrycoyf. 'That *would* make you doubt her authenticity. Of course, how could she have known what the estate was worth?' " (170). The compromises she is forced to seek in her extremity are taken as further evidence of her fraudulence. Merrycoyf's reasonable question—she could hardly have been aware of the estate's value, and such awareness would make her seem fraudulent on different grounds—is a minor note, not perceived as a real challenge to Karl's decision.

"The rite of passage," Girard notes, "is always an awesome experience, because it is impossible to predict at the outset what its course will be. Although the initiate knows what he is losing, he has no idea what he will be taking on. Violence will determine the final result of this monstrous mixture of differences" (Girard 1977, 282). This description dovetails beautifully with Monfredo's depiction of Rose Walker's "rite of passage" under the auspices of the Married Women's Property Act, offering us another way to perceive women's roles in this culture.

### **The Courts Against Women**

The establishment of a judicial system is "the most efficient of all curative procedures" that have been "employed by man since the beginning of time to avoid being caught up in an interminable round of revenge" (1977, 21, 20). Girard's analysis of the relationship between revenge and the judicial system provides an interesting way of looking at Monfredo's ex-

ploration of Rose Walker's "justice" in the court system. The significant leap forward, according to Girard,

comes at the moment when the intervention of an independent legal authority becomes *constraining*. Only then are men freed from the terrible obligations of vengeance....The system can—and as soon as it can it will—reorganize itself around the accused and the concept of guilt. In fact, retribution still holds sway, but forged into a principle of abstract justice that all men are obliged to uphold and respect. (1977, 21)

Interestingly, Dr. Quentin Ives's comments on the state of justice in 1848 Seneca Falls imply that this ideal judicial mechanism has only a tenuous hold in that society: "I've seen it before. We're not that far removed from frontier justice. Lynchings still happen where there's no accepted authority with the force of law behind it" (205). What Ives calls "frontier justice" applies in too many instances for the disenfranchised members of society.

Most of Monfredo's novels have trial scenes; clearly, the workings of official justice are important to her, for the inclusion of these scenes makes serious demands for additional research and verisimilitude on the author. That courtroom scenes require extra research shows that while some aspects of justice may well be "abstract," much is not: specific laws, and ways of interpreting and implementing those laws, change dramatically from one context to another.

Friedrich Steicher did not leave a will, in spite of his extensive estate, and his wife died with him, in a canal boat accident. Readers' first acquaintance with the novel's legal characters is made when Karl Steicher files for letters of administration for the estate and affirms that he is his father's only child. This matter is seen as strictly routine by the county surrogate and Seneca Falls' main attorney, but it prepares the way for later court proceedings. In fact, the two men seal the transaction in a time-honored tradition of the men's world: " 'while we're waiting on my clerk, I'll buy you a whiskey, Mr. Merrycoyf " (19).

The trial shown in detail in SFI is a civil trial, resulting from Gordon Walker's claim on the Steicher estate. This would appear to be relatively minor—that is, not the high drama of a murder trial more commonly found in crime fiction, but an exercise in what we now would call probate court. The criminal trial which is ordered, charging Gordon Walker with his wife's murder, never takes place; it is pre-empted by Mary Clarke's personal vengeance. There is a constraining legal authority, but women cannot depend

upon it to exact retribution; the legal authority is part of the system arrayed against them. Gordon Walker killed his wife and two other people, but the women in the novel have good reason to fear that he might not be properly punished. The worth of a middle-class white male is considerably greater in the eyes of the law than that of the people he killed; furthermore, those people who would have supported Walker's claims before he murdered her are still part of a culture in which a man has the right to do as he likes where his wife is concerned. The judge, the jury, the lawyers will all be male; it is not hard to see why the women think of taking their own revenge.

In fact, several women conspire against Gordon Walker and other (male) figures in the book. Women are not solely victims, but can be seen to take on the role of prosecutor as well. Both Serenity Hathaway and Daisy Ross see the opportunities the judicial system affords for prosecution, perhaps because its potential for persecution has been so often directed against them. Indeed, its persecutory power would be especially evident to these two characters: to Hathaway as a woman who owns a tavern and brothel (the public repository of scorn, especially from those—like the Reverend Justine—who patronize her establishment); and to Ross as the working-class wife of a drunken, abusive husband whose abuses are enabled and supported by the law. In this particular case, however, by co-operating with the system, these two women can help aim its power for retribution in the direction they want it to go.

Serenity Hathaway, the owner of Seneca Fall's tavern/brothel, makes a significant contribution to the case against Gordon Walker. She shocks the town by appearing in person during the trial to offer key testimony. Jeremiah Merrycoyf, the attorney representing Karl's interest in the estate, afterward wants to know how Glynis persuaded her to appear. Glynis, it seems, made a very practical appeal: " 'She wanted to get what money Walker owed her. I told her she had a better chance of doing that with him here rather than back in Boston. And I told her if she couldn't get her money, she might as well get revenge.' For a moment they all stared at her again. Cullen finally began to laugh" (278). Hathaway is no stranger to vengeance, and she wants to intervene in Walker's fate at the hands of the court. Her testimony at the trial provides evidence of Walker's opportunity to commit all three murders; she alone can demonstrate that he was in Seneca Falls on the night of his wife's murder (an important point, as Walker had contrived to make it appear he was in Boston at the time). She also supplies physical evidence in the form of Walker's flamboyant suitjacket, left at the scene of the tavern murder and matching the scrap of cloth torn from his trousers by

a local dog on the night of the first murder. Her final contribution to women's retributive justice is behind the scenes: she exposes the Rev. Justine's patronage of her establishment to Glynis, thereby giving Glynis the means to silence her only enemy on the library board, at whose appointment she serves. The persecution of local women by the Rev. Justine is thus ended by Hathaway's denunciation of him; the reciprocity could hardly be clearer.

Even Daisy Ross, hobbled by social customs that keep her trapped in a terrible home life, makes an important contribution to the legal proceedings and Glynis's investigation. After the violent scene with her husband I described above, Daisy finds a pale pink beaded handbag in their trash heap; the purse is Rose Walker's, and it is another pointer toward the importance of women's "trifles." Daisy knows her husband could have not have come by the handbag legitimately and is afraid that he killed its owner. She consults Glynis at the library, and the contents of that beaded handbag lead to the undoing of two (male) criminals. First, among the feminine odds and ends ("A tortoiseshell comb, a lace-edged handkerchief, a powder puff, hairpins" [123]) there is an itemized list of jewelry Rose Walker had deposited in the hotel safe. Glynis notices that it does not match the list Simon Sheridan, the hotel manager, had shown Constable Stuart: several pieces are missing from Sheridan's list and the safe-deposit box at the hotel. Sheridan's theft is thus exposed. The other piece of evidence is the letter from Edwin Vail; Glynis cannot make out the signature, but she writes to the return address on the envelope and eventually receives a letter that explains some of the missing pieces. Vail's letter to Glynis is eventually read into evidence during the trial. Without Daisy Ross, the outcome would be less certain. In spite her timidity, she puts Glynis in a position to take significant action against some of the dishonest and dangerous men who populate their world.

The woman who acts most definitively against a system that does not consider women to be fully human, undoubtedly, is Mary Clarke, Rose Walker's mother and Friedrich Steicher's first wife. In the epilogue to the novel's events, the murder trial of Gordon Walker is about to begin. He is brought to the courthouse, where a "priest" appears, offering " 'to give you a blessing, my son' " (282). The blessing is a gunshot to the chest from a "small muff pistol," a very ladylike weapon. When the "priest" collapses, "he" turns out to be Mary Clarke, who dies, in tears, on the courthouse steps. Glynis recognizes her from the daguerreotype in Rose Walker's possessions and comforts her at the end. Wearing the garb of one powerful branch of male authority, Mary Clarke preempts the actions of the court, another powerful branch of male authority.

Because of the recently-passed Women's Property Act, the judicial system must be taken—in theory—as being on Rose Walker's side. So why does she end up dead? A gap between theory and practice evidently makes her position not as strong as she expected. And what kind of justice does she get from the legal system after her murder? Her husband, having first gone beyond the remedy of the law because he knows that his wife does not plan for him to profit by her inheritance, then turns to the official power of the courts to extract her inheritance directly from his half-brother-in-law. Rose Walker's mother, in her turn, goes beyond the remedy of the law to extract a personal vengeance. The cycle of retribution is broken only because Mary Clarke is old and frail, and dies after shooting Gordon Walker on the courthouse steps. The final word is not from the judicial system, whose "principle of abstract justice...all *men* are obliged to uphold and respect" (Girard 1977, 21, emphasis added), but from a distraught mother.

### **Why history-mystery?**

As I noted at the beginning of this essay, Monfredo's multiple genres impose severe demands upon her. Why is she putting her carefully-researched material into historical mysteries rather than (say) biography or social history? Assuming the goal of disseminating historical information, there are many good reasons for Monfredo to put her work in a widely-read genre. Carolyn Steedman notes that "one popular legacy of the work that has been done in the field [of women's history] is an altered sense of the historical meaning and importance of female *insignificance*. The absence of women from conventional historical accounts, discussion of the absence (and discussion of the real archival difficulties that lie in the way of presenting their lives in a historical context) are, at the same time, a massive assertion of what lies hidden" (104). Monfredo's novels take on both parts of the job; they do assert women's absence from conventional history, and they are also a means of evoking some of that "hidden" reality. Her historical fiction becomes a literary record produced after the fact: she cannot replace the missing information in the historical record, but she *can* create a credible addition to the available body of information. Evidence of her success in this arena is the National Women's History Project's recent endorsement of the Glynis Tryon books. Sold as a set by the NWHP, Monfredo's novels are the only adult literary texts they offer (their focus is on educational materials, reference works, biographies and other kinds of women's history). Finally, the combination of historical fiction with a feminist perspective provides both an incentive and a direction for, further historical research on the

reader's part. Monfredo's readership is broad; because she has created such a successful feminist historical crime series, there are many readers a great deal better informed and interested in learning more about women's history.

Crime novels also repay the extra labor involved in creating and sustaining a credible mystery plot. Glynis as sleuth defies stereotypes of helpless, brainless women as readers watch her use everyday knowledge and common sense to discover the truth. Carolyn Heilbrun, one of the most distinguished figures in U.S. feminist scholarship, is also Amanda Cross, the author of a feminist mystery series. She observes that

it's a safe guess that every detective novelist has been asked why he or she writes detective stories and not 'real' novels. There are many answers, but I think an important one has never been stated flat out: that with the momentum of a mystery and the trajectory of a good story with a solution, the author is left free to dabble in a little profound revolutionary thought. In my opinion, detective fiction, often called formula fiction, has almost alone and with astonishing success challenged the oldest formulas of all. (7)

Heilbrun is referring to gender formulas, patriarchal assumptions about woman's roles in society; by identifying crime fiction as the most successful at challenging those formulas, she offers a good reason for a serious writer to write serious mysteries. Rosalind Coward and Linda Semple confirm this judgment. Crime fiction is often assumed to be socially conservative, they note, but that assumption is sometimes incorrect. The very nature of crime fiction, they argue, makes it suitable for women writers concerned about the place of women in society: "Women's concerns, far from being alien to this genre, are often the very stuff of the crime novel—violence, sexual violence, conflict between individuals and authority, and conflict between men and women. That such potentially radical concerns have often been at the heart of the form should therefore lead to no surprise that the form can be used specifically for radical ends" (54). The specific terms of Coward and Semple's sketch of "the very stuff of the crime novel" suggest a congruence with Girardian theory as well. In other words, crime novels and Girard's theory are interested in similar cultural matters; if Girard's theory describes what has been going on in our culture, then a well-made crime novel ought to corroborate his work. These are some of the reasons for undertaking a Girardian reading of an openly feminist historical mystery; the choice seemed to me a logical beginning for the kind of engagement I would like to see feminist critics make with Girard's mimetic hypothesis.

## WORKS CITED

- Carr, Helen, ed. 1989. *From My Guy to Sci-Fi: Genre and Women's Writing in the Postmodern World*. London: Pandora, 1989.
- Coward, Rosalind, and Linda Semple. "Tracking Down the Past: Women and Detective Fiction." In Carr (39-57).
- deLauretis, Teresa. 1989. "The Violence of Rhetoric: Considerations on Representation and Gender." *The Violence of Representation: Literature and the History of Violence*. Nancy Armstrong and Leonard Tennenhouse eds. London & New York: Routledge.
- Elliott, Patricia. 1991. *From Mastery to Analysis: Theories of Gender in Psychoanalytic Feminism*. Ithaca: Cornell UP.
- Girard, René. 1966. *Deceit, Desire and the Novel*. Yvonne Freccero trans. Baltimore: Johns Hopkins UP.
- . 1986. *The Scapegoat*. Yvonne Freccero trans. Baltimore: Johns Hopkins UP.
- . 1978. *To Double Business Bound: Essays on Literature, Mimesis, and Anthropology*. Baltimore: Johns Hopkins UP.
- . 1978. *Violence and the Sacred*. Patrick Gregory trans. Baltimore: Johns Hopkins UP.
- Glaspell, Susan. 1993 (1916). *Trifles*. In *Lifted Masks and Other Works*. Eric S. Rabkin ed. Ann Arbor: U of Michigan P.
- Heilbrun, Carolyn. 1988. "Keynote Address: Gender and Detective Fiction." In *The Sleuth and the Scholar*. Barbara A. Rader and Howard G. Zettler eds. Westport, CN: Greenwood.
- Heising, Willetta L. 1996. *Detecting Women 2*. Detroit: Purple Moon Press.
- Hoberman, Ruth. 1997. *Gendering Classicism: The Ancient World in Twentieth-Century Women's Historical Fiction*. Albany: SUNY Press.
- Monfredo, Miriam Grace. 1992. *Seneca Falls Inheritance*. New York: Berkley.
- . *Through a Gold Eagle*. 1996. New York: St. Martin's.
- Reineke, Martha. 1997. *Sacrificed Lives: Kristeva on Women and Violence*. Bloomington: Indiana UP.
- Showalter, Elaine. 1985 (1979). "Toward a Feminist Poetics." In *The New Feminist Criticism: Essays on Women, Literature and Theory*. Elaine Showalter ed. New York: Pantheon.
- Steedman, Carolyn. "Women's Biography and Autobiography: Forms of History, Histories of Form." In Carr (98-111).

# THE ROLE OF AN ULTIMATE AUTHORITY IN RESTORATIVE JUSTICE: A GIRARDIAN ANALYSIS

Sara Osborne

## I. Restorative or Retributive Justice

South African Episcopal Archbishop Desmond Mpilo Tutu's account of the gritty practicality of reconciliation versus retribution in his book, *No Future Without Forgiveness*, focuses long overdue attention on Restorative Justice, a law reform movement probably better known in international than in American legal circles. A persuasive assertion of Restorative Justice advocates in their critique of increasingly retributive practices such as mandatory minimum sentencing, mandatory arrest, death penalty, juvenile incarceration, "three strikes" legislation, no parole, diminished prisoner services, to name a few, is that reintegrating offenders back into a community is a much more effective deterrence to anti-social violence than punishment alone. They have also observed that communitarian ideals and practices, more visible in traditional cultures<sup>1</sup> are more conducive to Restorative goals of reconciliation and reintegration than are practices of retributive justice rooted in ideals of individual rights. Therefore, such adjudicatory practices should serve as models for preferable alternatives.

---

<sup>1</sup>An examination of restorative justice under code-based systems of law (European, Roman Law) might also reveal more affinities since the focus of these systems is to define the permissible, rather than the impermissible. Code-based law begins with the commons; rights-based law begins with the individual.

However, Western-style retributive justice remains the primary model for international law and Restorative Justice is the prophetic "outsider" voice. So, it is appropriate to ask to what extent and under what conditions are Western retributive justice systems able to incorporate or accommodate adjudicatory practices of non-Western or traditional cultures? How critical a factor is religion? These questions will appear wherever Western Law struggles to bring more cultural diversity under a unifying umbrella and they deserve close scrutiny. René Girard's insights into the relationship between law, religion, culture and violence are helpful in identifying practical implications of the restorative vision and systemic weaknesses of retribution, and perhaps illuminating a third way.

The metaphor of an organ transplant may be useful: without a genetic match between host and donor both risk destruction. It is the thesis of this paper that that genetic material is a very inclusive conceptualization of "religion" which I have named "Ultimate Authority," drawing on Girard's mimetic theory for the theoretical analysis. In other words, "religion" is indeed, always and everywhere, a critical factor in culture-specific institutions of justice. A Girardian understanding of the relationship between Ultimate Authority and criminal justice systems indicates that while there are valuable lessons to be learned from trans-cultural dialogue, wholesale transplants may not be possible, or even advisable because conditions essential for comparable success do not exist in Western legal culture. This paper first presents some background about Restorative Justice, followed by an outline of René Girard's mimetic theory to define "Ultimate Authority." The second half of the paper describes alternative adjudicatory processes which have attracted the attention of Restorative Justice advocates and concludes with suggestions about future directions for criminal justice policy discussion.

Restorative Justice is a movement which drew its initial energy from Civil Rights era non-violent social action. It has found avid supporters among those whose activism for social justice is faith-based as well as those whose activism is rooted in more secular communitarian ideologies. Perhaps because of its international following, a significant contribution of the movement has been to initiate trans-cultural dialogue about criminal justice, fostering an increased use of alternative dispute resolution techniques, primarily mediation. Restorative Justice doctrine insists that all crime is personal, evidence of a broken relationship between victim, offender, and community. Restoring "right relationship" between all parties is both a moral and legal obligation; "justice" to be just must go well beyond addressing the specifics of the act which effected the break. In contrast, the focus of

retributive justice appears abstract, procedural, and narrow in pursuit of impartiality or neutrality, the ideal of Blind Justice.<sup>2</sup>

Howard Zehr, a consultant on criminal justice and a Canadian Mennonite who wrote the classic Restorative Justice primer, *Changing Lenses: A New Focus for Crime and Justice*, describes the retributive criminal justice process as "a drama between two abstractions," meaning a criminal and a victim, where the "victim" is even further abstracted into the State. What laws were broken? Who broke them? How can we punish the guilty? ("trail 'em; nail 'em; jail 'em; bail 'em") are the focused goals of retributive justice (*Restoring Justice*). The culpability and repentance of retributive justice coupled with proportionality of punishment is the classic "just desserts" formula—"an eye for an eye, a tooth for a tooth"—and is a utilitarian effort to reconcile human reason and moral agency with the human impulse to revenge.

Restorative justice goals include creating opportunities to help all parties "act their way to a new way of thinking versus thinking their way to a new way of acting" (*Restoring Justice*). Programs embodying the restorative vision, such as victim-offender mediation (face-to-face mediated encounters), alternative sentencing, ex-offender mentors for youth, and the South African Truth and Reconciliation Commission are not accurately characterized as neutral. It may be their very particularity that makes reconciliation possible, because they acknowledge "different orders of truth"—factual truth as well as a truth of experience, more subjective and less likely to emerge in an adversarial process designed to seek objectivity (Tutu 26, citing Judge Albie Sachs).

However, there are similarities in that both Restorative and retributive justice assume the prior existence of a normative community. Therefore, a primary concern for both must be the foundations of that community. Effective retributive justice requires that an offender belong to a community which embraces, among many others, a norm of proportional punishment as good and just (Dressler 40).<sup>3</sup> However, it is increasingly less clear in our world whether there is even simple majority agreement about what norms are acceptable and therefore what punishment is proportional. Under such conditions, an experience of culpability is elusive and penitence, the payment of social debt intended to deter future anti-social behavior, is also unlikely.

---

<sup>2</sup>Themis, Goddess of Justice is blindfolded. Does this indicate an ideal of impartiality, or, in the Girardian view, a kind of blindness necessary for effective scapegoating?

<sup>3</sup>"The offender owes a debt to society; punishment is the mode of repayment." An implied social contract has been breached and restitution is due.

Restorative Justice also assumes offender and victim belong to a normative community which may be more likely to be described as "unity in diversity." Yet, even pluralism, to sustain any order at all, requires some prior shared understanding of what is acceptable and what is not, and so conflict about who sets a common standard is never really absent.<sup>4</sup> The increasing number of places in our world which must find some form of community in the midst of normative confusion makes communitarian ideals of solidarity, belonging, and collective harmony elusive, but understandably very attractive.<sup>5</sup> Archbishop Tutu refers to *ubuntu* or *botho*, African words without precise English counterparts which express exactly the kind of communitarian ideals so attractive to restorative justice activists. He translates it this way: Social harmony is the greatest good. Being human is to belong, participate, share. A person with *ubuntu* does not feel threatened or scandalized by what others have because such a person possesses a self-assurance that comes from knowing that he or she belongs in a greater whole (Tutu 31). The Navajo have a similar concept called *K'e*, described as an "urging" toward solidarity, group conformity, reciprocity of duties and obligations. It is an "instinctive urge to work in harmony with others in society" and it has been said that it "allows more freedom than that offered in general American society" (Tso 17).

Girard's work raises serious questions about the nature of community. It is appropriate to remind ourselves that the above terms of solidarity and unity originated in a world of discrete homogeneous cultures which, for better or worse, is now all but extinct. Belonging, participating, sharing and the interests of reconciliation applied to those already "inside" the clearly defined boundaries of a particular culture. Archbishop Tutu says that reconciliation is the greatest self-interest. What he recognizes is that self-interest has a social context. Girard suggests that the origins and foundations of any collective in fact define self-interest. For example, in a clearly bounded community, the self-interest of those inside necessarily limits the value of outsiders to a self-defining function: those inside are not at all like those

---

<sup>4</sup>Cartoons in *The New Yorker* reflect the times: A Korean cartoon in the Jan. 17, 2000 issue shows a devil lamenting to his co-workers in Hell. "It's getting much harder for me to distinguish good from evil. All I'm certain about is what's appropriate and what's inappropriate." What's appropriate also varies. Examples such as clitorectomy, honor suicides, even firecrackers at Chinese New Year abound wherever cultures meet.

<sup>5</sup>Stanley Hauerwas, pacifist and Christian ethicist says, "... it is not that we have no moral guides, but that we have too many." *Identifying* the roots of community is a significant post-modern problem. See Danielsen and Engle.

"outside." A powerful gravitational pull of self-interest maintains internal unity (Girard, *Things Hidden* 84-104). In a world with fewer cultural boundaries such as the one we live in, self-interest, as the Archbishop also recognizes, must be more than cultural identity. Identity is an issue for both restorative and retributive justice because rights and obligations are always contextual.

The fact that *K'e* can be described as "instinct" is evidence of an influence that is "invisible" by virtue of its very pervasiveness within a community preserved by clear boundaries. Similar to the way the laboring of a boat's engine is masked when the boat hitches a ride on the ocean's natural currents, we only feel a compelling force when resisting it. Social resistance only arises in the presence of an alternative considered desire-able. How would one know of greener grass if you lived in a closed system? Someone would have to either "get in" or "get out," and culture specific norms are designed to prevent that as much as possible because such movement introduces resistance, further weakening the boundaries.<sup>6</sup>

When we use words of inclusion today, it is in the context of an ongoing struggle between that-in-us longing for the comfort of closed circles (maintained by excluding others), and that-in-us empathizing with those outside who also need that comfort (an option available to them only if the circle is broken). Self-interest is less clear where the boundaries are less clear. This means, (using Girardian terms and jumping the gun a bit) if a victim-offender-community is a comfortingly closed circle, it may be the product of the "generative mimetic scapegoating mechanism," (Bailie, *Violence* 198, citing Hamerton-Kelly) and presumptively a morally problematic solution to social conflict. And yet normative community in some form is a condition precedent to addressing the morality of violence: there must be a context for "justice." In order to have these discussions, we must somehow exist in one kind of community that is not grounded in another kind of community. Given this present state of the world, a kingdom whose *ubuntu* or *K'e* is transformed to apply to all will likely require, as the Archbishop testifies, something of a miracle.

Nevertheless, as we contemplate any kind of law reform our diagnosis of the problem must be accurate. As suggested above, both Restorative and retributive justice policy analysts must address the question of what compels integration—at both social and personal levels. Girard's mimetic theory of

---

<sup>6</sup>For example, the early Quakers who lived amicably alongside indigenous peoples may have unwittingly accelerated their decline as they introduced mimetic desire into a closed system.

interdividuality and the sacrificial roots of community can structure that discussion. What compels our mimetic desire for one form of community over another? Where does the mimetic power originate? It is my thesis that the source of the illness driving our quest for law reform is our fundamental human need to pledge our allegiance to, or rather to worship, someone or something which I have named "Ultimate Authority."

## II. Anatomy of Ultimate Authority

What is "Ultimate Authority"? Controlling collective violence is a prerequisite for the continuation of human life, and so controlling collective violence has been a self-interested concern of all human culture, including justice systems. According to René Girard the central anthropological role of "religion" has been to deal with human violence (Girard, *Violence and the Sacred* 20) an assertion which, in conjunction with the first statement, implies a significant link between culture, justice systems and religion. In this paper, using Girard's hypothesis, I suggest that preceding any structure of violence control there must have been some powerful unifying experience, an Ultimate Authority which a community seeks to preserve through norms, laws, or moral codes which circumscribe the boundaries beyond which members of that community may not stray and still belong. There must be some Ultimate Authority, like *K'e* for the Navajo or *ubuntu*, which breathes life into these structures. Without it they are merely skeletons, cultural artifacts with no power to move us one way or another.

### A. Transcendence: the Role of "Religion"

Ultimate Authority involves three things: 1) norms and traditions which "contain" a collective transcendent experience; 2) opportunity for relationships with persons or institutions which embody those norms; 3) and mimetic desire, as the means of perpetuating the first two (Berman 9).<sup>7</sup> Always, Ultimate Authority is first a shared transcendent experience from which cultural norms are derived and deemed sacred, then perpetuated and sustained through the mimetic process. This shared recognition of the sacred is too often described simply as "religion," a term which, to many, implies no more than a sect, denomination or set of ritual practices. Because this understanding is too narrow and, for many people, carries much negative baggage, I have adopted the phrase "Ultimate Authority" to expand the im-

---

<sup>7</sup>Professor Berman finds "ritual, tradition, authority and universality" to be common to both law and religion. I think my categories are roughly equivalent.

plications of religious terminology so as to include all foundational experiences which become organizing principles, including the Rule of Law, any "ism", or secular ideology.<sup>8</sup>

Ultimate Authority/religion need not be deistic to evoke attachments through an experience of awe or transcendence. Even atheism fits within the definition because it provides its followers with a map of the world they must see as ordered in a particular way. In this sense any effort to "make meaning" of life experience is a "religious" venture. "Authority," often used synonymously with "hierarchy," has also become a four-letter-word and needs refreshing. Both are often carelessly equated with domination, a condition where rivalry abounds. Effective hierarchy and authority prevent rivalry; rivalry unleashed invites domination (Sennet 41-50).<sup>9</sup> I have paired "authority" with "ultimate" to indicate the buck stops where there is no rival.

Restating Girard, if the central anthropological role of Ultimate Authority has been to deal with human violence, then the organization and survival of all types of communities depends on the strength of some form of Ultimate Authority. In *Violence and the Sacred*, Girard says "If we fail to understand certain religious practices it is not because we are outside their sphere of influence but because we are still to a very real extent enclosed within them" (22). We cannot see the forest for the trees and this means we will be unable to fully comprehend the significance of seemingly unrelated events such as youthful murderers and suicides, presidential impeachments, the death of a Princess, abortion killings, the death penalty, intimate relational violence, or ethnic cleansing until we understand their underlying religious nature, that is, their relationship to a transcendent experience of Ultimate Authority.<sup>10</sup>

---

<sup>8</sup>The title of an article by Jeffrey Rosen (January 30, 2000 *New York Times Magazine*) poses this question: "Is nothing Secular?" The answer is, no, all is religious.

<sup>9</sup>Richard Sennet explores the paradox of enslavement as an outcome of rebelling against authority: we become more and more intimately connected to those we struggle against. He traces this enslavement to the rise of rivalry and resentment during the period of the French Revolution.

<sup>10</sup>For example, a few selected articles in *The Nation* between 1998 and 1999 illustrate confusion about the "religious" overtones and anthropological implications of many socio-political trends and events. Patricia J. Williams, in "Friends, Romans, Countrymen" (Feb. 8, 1999), fails to recognize the anthropological nature of the Clinton impeachment trial; Katha Pollitt, in "Decline of the West?" (Dec. 14, 1998), simply ignores Cornell West's point that rational arguments alone can't provide the compelling energy necessary for social transformation; Jennifer Baumgardner, in "Immaculate Contraception" (Jan. 25, 1999), queries why religious organizations are so significantly involved in health care delivery. Rene Girard's mimetic theory could provide a much needed trans-ideological context for

There is a symbiotic relationship between religion, law, culture and violence.<sup>11</sup> Religion, says Girard, "...directs violent impulses as a defensive force against those forms of violence that society regards as inadmissible" (Girard, *Violence and the Sacred* 20). Good Violence deters Bad Violence. The Bad Violence for *all* social groups is revenge, because its reciprocal nature is potentially never-ending and therefore culture destroying in a Hobbsian War of All Against All. Girard proposes that Good Violence is universally embodied in practices that replicate a cathartic scapegoat sacrifice which interrupts escalating revenge with a powerfully diverting transcendent experience. Sacrificial scapegoating scenarios are effective because they "wick" the conflict away from the actual disputants and direct it at an expendable surrogate victim. The act of expulsion which follows destroys both the conflict and the surrogate (however, the source of the conflict, not directly addressed, will appear again and require another sacrificial resolution). The original disputants are reintegrated back into the community which is in a very real sense re-created and "saved" by the surrogate victim. Girard describes this formula for cultural stability as "unanimity minus one" because, the social bond generated in this process is always at the expense of a scapegoat "victim" (Williams 289, 294).<sup>12</sup> Because of, and in spite of, this notable exception, in order to remain effective the means and ends of Good Violence must remain absolutely sacred and never questioned. "Question Authority" must be unthinkable and unheard of! Girard says, "Only the transcendental quality of the system, acknowledged by all, can assure the prevention or cure of violence" (Girard, *Violence and the Sacred* 24).

Judicial systems and sacrifice share the same "religious" function, that being, as stated above, "... to direct violent impulses as a defensive force against those forms of violence that society regards as inadmissible" (Girard, *Violence and the Sacred* 23). But we know that bad things are done "in the name of the Law"<sup>13</sup> and so judicial systems must accommodate a systemic

---

discussion of these issues.

<sup>11</sup>As a graphic example, Donald L. Beschle, "What's Guilt (or Deterrence) Got To Do With It?: The Death Penalty, Ritual, and Mimetic Violence." Professor Beschle, relies on René Girard's work to suggest that the death penalty will never be abolished until we find a way to replace its transcendent function.

<sup>12</sup>Scapegoat mechanism: "a generative scapegoat principle which works unconsciously in culture and society." Culture: all that "enables human beings to exist together without being overcome by chaos, violence, random murder."

<sup>13</sup>Critical Legal Studies draws attention to subjectivity of race, gender, class in the application of law. Paul of Tarsus is the first "crit" when he sees that sin finds opportunity

semi-consciousness about the questionable morality of arbitrary surrogate victimize mechanisms. They resolve that dilemma by isolating the *truly* guilty and permitting revenge under very limited circumstances. Still, in order to remain effective, like all sacrificial scapegoating mechanisms, these systems of controlled revenge or retribution must sustain the necessary condition of an unquestioned distinction between Good Violence and Bad Violence. The Rule of Law, or Good Violence, must still be a sacred Ultimate Authority. There is greater anthropological than literary significance in references to Law as our civic religion, our courts its temples, and our judges its High Priests (Redekop, Berman).

If this conviction is no longer universally shared, cultural institutions including judicial systems, begin to dissemble into more and more little laws (monotheism, as Moses certainly knew, is difficult to sustain). Absent a universally shared transcendent conviction that reciprocal violence is only okay in limited circumstances, The Rule of Law quickly becomes laws unto ourselves, self-help run amok, the very thing religion was to protect us from. This is the condition of Law in our world simply because we know bad things are done in the name of the Law. In the West any sacred cow—that is, any secular or deistic Ultimate Authority—is weakened when its Ultimate Authority is challenged for one reason or another. This is not altogether a bad thing, but we still must pay the Piper in one form or another. The Law as Ultimate Authority is a last refuge and so we increasingly look to Law to provide order and meaning to our life experiences, a sacred function it is no longer capable of providing (Weil 65-66).<sup>14</sup> At the same time in the West challenging Ultimate Authority—including the Law—is itself a quasi-religious pursuit which begs the question: Where we will be when they are *all* gone?<sup>15</sup>

However, as long as the potential for reciprocal violence exists in human social life we will be in need of Ultimate Authority. In the recent Hollywood film *Elizabeth* the new Queen, like *The Godfather* in an earlier movie era,

---

in the Law. Romans 7:8.

<sup>14</sup>In *Gravity & Grace* Simone Weil describes crime as a transference of evil (evil causes suffering). Penal justice changes suffering back into crime which can then be litigated (grief becomes a grievance) so wrongs can be righted and meaningful order maintained. The trial for the death of Amadou Diallo in the Bronx illustrates the inability of law to provide meaning for such tragic suffering. Restorative justice might be seen as an effort to confront grief in such a way that does not turn it back into yet another crime—a crime of society.

<sup>15</sup>Thomas More, as played by Paul Scofield in the film *A Man for All Seasons*, asks: "Once the Law is overturned, what will stand between us when confronted by Satan?" The "religion" defining this condition is nihilism.

violently eliminates any opposition along with its Ultimate Authority, the Roman Catholic cult of the Virgin, only to realize she must fill the resulting void with another Ultimate Authority. In a dramatic liturgy of transformation *she* becomes the Virgin icon, shifting the veil of the sacred from one Ultimate Authority to another. Girard says repeated versions of this sleight of hand throughout history means "centuries can pass before men realize that there is no real difference between their principle of justice and the concept of revenge" (Girard, *Violence and the Sacred* 24). The world we live in is slowly waking up to this illusion and so the condition of multiple Ultimate Authorities is upon us. Again quoting Girard, "a clear view of the inner workings indicates a crisis in the system ...a sign of disintegration" (Girard, *Violence and the Sacred* 23). The Rule of Law is a compromised Ultimate Authority because the threshold between Good Violence and Bad Violence has been crossed. The veil of the sacred has been torn, revealing the arbitrariness of the distinctions it once created.

There are practical implications for justice systems. For example, it is now common knowledge that perpetrators are more than likely victims themselves at the hands of another victimizer. We see that their abstract identity as victim or defendant may have been determined by nothing more than a mere fragment of time or geography and greater effort is needed to maintain the abstractions. This opening onto the arbitrary side of "justice" is deadly to an Ultimate Authority which must maintain the sacred distinctions between Good Violence/Bad Violence. Today the valence of Good Violence/Bad Violence may shift several times within the course of one trial or one tragic event. Recall the OJ or Menendez brothers' trials where perpetrators became victims and back again, news commentaries on the refugee crisis in Kosovo reminded us of the history of violence on both sides; the conflicted grief for the victims at Columbine High School—should we or should we not mourn the dead boys who killed the others? The Rule of Law cannot sustain its function as an Ultimate Authority when it is unable to definitively label the bad guys and the good guys. It is impossible to reap the violence-controlling benefits of retribution-revenge embodied in scapegoating scenarios if all are victims and all are perpetrators.

This is the world of Law in the 21<sup>st</sup> Century, and yet our need for Ultimate Authority has not diminished in the slightest. Because Ultimate Authority is essential to our continued survival, and given the global predominance of Western legal principles including its compromised Authority, I believe the traditions and practices of traditional cultures are attractive to reformers because we recognize in them evidence of a relatively intact

Ultimate Authority. This awakens in us a deep desire—a nostalgic longing—for a unifying and compelling sacred Ultimate Authority which, for better or worse, we have lost and yet still desperately need. Our current crisis is really the very ancient question of idolatry: Where do we look for Ultimate Authority and why? And where do we look if we cannot look to the Law?

### B. The Role of Mimesis

A vital Ultimate Authority, as discussed above, involves cultural norms and traditions which “contain” a collective transcendent experience. The other prerequisites include opportunities for relationships with persons or institutions which embody those norms; and mimetic desire, as the means of perpetuating the first two. Girard's sacrificial scapegoating formulation has enabled us to see that Restorative Justice advocates are correct when they assert that Western retributive justice is somehow “broken” because the universal shared transcendence is gone, leaving institutions as weak embodiments of a no-longer sacred authority. Girard's mimetic theory provides the means to address the question posed above: Where do we look for Ultimate Authority and why?

René Girard's “mimetic theory” is so called because it begins with *mimesis*, defined in the OED as “imitation.” However, Girard's definition is much subtler than mere mime. Mimesis is an automatic human response to our social environment which might be compared to a chameleon's response, or a plant's phototropic attraction to light. Our mimetic capacity is uniquely responsive to certain characteristics of others and arouses in us a longing to acquire aspects of that constituting Other. This mimetic desire is the human nature which draws us into the culture-generating transcendent experience of Ultimate Authority (Baillie, “The Vine and the Branches” 139).<sup>16</sup> We are not born desiring anything more than what will keep us alive, but as we instantly enter the social world at birth we “want” those “others” too. We “become real” by mimetically pursuing our deepest ontological desires in the context of encounters of reciprocal desire with Others. This “interdividuality” is so much the essence of our humanness that it is functionally invisible to us (Williams 291).<sup>17</sup> We mistakenly believe we are fully formed

---

<sup>16</sup>In truth, the desire to imitate may be the only desire properly speaking that isn't imitative: it is the affective sine qua non of human existence, the ultimate truth about a creature whose bedrock reality is having been made in the image and likeness of another.”

<sup>17</sup>Classics of children's literature such as *The Velveteen Rabbit*, *Pinocchio*, and *Beauty and the Beast* concern “becoming real”—transcending mere existence — by entering into a particular kind of relationship with an Other. Nevertheless, for Law, the notion of the autono-

autonomous individuals from the start, rather than always in a process of becoming. Mimetic desire is not static, as is apparent in this familiar scene: Child One is happy and playing with a toy. Child Two sees Child One and, *voilà!*, desires *that* very toy so obviously the source of much happiness. If Child One loses interest in the toy, Child Two will likely lose interest as well. If this does not happen a tug-of-war may ensue. Parental authority could intervene with a socializing lecture on sharing; or interrupt the conflict by providing each child with identical toys.<sup>18</sup> Mimetic desire, as simple as this little nutshell, is the genesis of all the complexities of social and cultural relationships: rivalry, jealousy, love, hate, fear, resentment, all those things that make great opera.

Mimetic desire can be described as both triangular and generative. A triangle of model-receiver-desired harbors its own demise as the seed of a new relationship (Williams 33-34). First, the triangle of child-child-toy is a relationship of mimetic desire; then it becomes a relationship of rivalry with potential to escalate into a more conflictual relationship. Mimetic triangles are everywhere humans interact. Property, defined by Jeremy Bentham as a "metaphysical conception of the mind" and "a relationship among human beings," is really just a mimetic triangle and so conflict is inherent in the thing itself (Dukeminier 56).

When a mimetic triangle escalates into rivalry, Girard calls the rivals "doubles" because they are no longer identifiable as model-receiver but equivalents of each other. Girard terms this condition a "crisis of distinctions" or "crisis of undifferentiation" (Girard, *Things Hidden* 12). Because the mimetic Self always requires a constituting Other, like a continuous blood transfusion, this condition of sameness is intolerable. Undifferentiated, with no clear Other to emulate, we begin to feel insubstantial, a kind of psychic death. Doubles come to experience each other as obstacles, threats to their very being. As rivals' mutual panic escalates anything which holds out resolution to this intolerable condition becomes highly desirable. A crisis of distinctions invites the intervention of Ultimate Authority.

---

mous self has great utility—it makes possible a judicial system based on individual rights. But when a constituting relationship is never acknowledged, persons under the Law risk reduction to a "bundle of rights," the legal definition of property. Once defined as property we are all potential slaves. A history of the relationship between rights *in rem* (those which run with property) and rights *in personam* (those which run with the person) might show an increasing tendency toward convergence.

<sup>18</sup>Note the roots of market capitalism: Where acquisitive desires are never satisfied someone will always pay whatever it costs for the promise of satisfied desire.

Violence, either directed at the rival or deflected onto a scapegoat, will terminate the rivalry quickly and definitively, and so it is supremely desirable and supremely mimetic, spreading through a crowd of mimetic rivals like wildfire. Violence "magically" restores identity and order by ending escalating violence, the familiar function of a sacred Ultimate Authority.

The "Dollar Bill Auction," appropriately subtitled "The Escalation Game" is a sobering demonstration of how quickly mimetic desire becomes a crisis inviting Ultimate Authority (Katz 17).<sup>19</sup> A single dollar is put up for bid. The bids naturally start lower than face value but eventually one bidder goes over \$1.00 and others mimetically follow. In an astonishingly short period two bidders remain as doubles with the object of the game clearly to terminate the rival(ry). In 1866 Alexis de Tocqueville foretold the violent catharsis of the French and Russian revolutions when he observed escalating mimetic rivalry unleashed by the breakdown of class distinctions: "The nearer they draw to each other the greater is their mutual hatred and the more vehement the envy and dread with which they resist each other's claim to power; the idea of right does not exist for either party and force affords to both the only argument for the present and the only guarantee for the future" (de Tocqueville 11). We live in a consumer economy where we are all undifferentiated consumers so living without violence is difficult because violence as an Ultimate Authority which resolves crises of undifferentiation has enormous social utility. Since everyone is potentially rival to someone else, the need to resolve escalating mimetic desire-rivalry-violence is always present, particularly, as de Tocqueville observed, in the most egalitarian societies. The need for Ultimate Authority is most acutely felt where cultural norms, the traditional containers of Ultimate Authority, are gone.

Describing a phenomenon among the Navajo in America, James Zion, J.D., former Solicitor, Courts of the Navajo Nation speaks as well for many others who feel trapped in this quicksand of undifferentiation. He says, "Many religious and ceremonial practices are a product of Indian people feeling threatened and trapped by outside institutions and many reservation Indians respond to the pressures of a materialistic and discriminatory America by attempting to reach back to old values and ways" (Zion 89, 90). Returning to "old values and ways" is understandable because their Ultimate Authority once provided meaning through distinction. Like frightened

---

<sup>19</sup>Originally devised by game theorist Martin Shubik. Katz includes an anecdote from Harvard Prof. Howard Raiffa who, when he used it in his class, had to intervene when the level of angry competition became "uncomfortable."

animals with no place to hide we are desperate, in the interest of self-protection, to recover the differentiated order and identity we have lost. But the oldest form of self-interest, according to Girard, is differentiation via the generative mimetic scapegoating mechanism, a morally questionable means to a socially desirable end. Nostalgia seems innocent, but reactionary politics, gated communities, fundamentalism, ethnocentrism, and racism are but a few steps down the road.

This differentiated order afforded real freedom within traditional cultures and what we longingly admire is what remains of the powerful stability once created by those "old systems." The farther we are "outside" of traditional cultures the greater the freedom inside them will appear to us, but returning to such a state will be more and more impossible (Baillie, *Violence* 38, citing Kolakowski).<sup>20</sup> To us it may seem paradoxical that freedom is achieved by submission to a mimetically powerful Ultimate Authority, like *K'e* or *ubuntu* (Zion and Yazzie 20).<sup>21</sup> Some religious disciplines, in the sectarian use of the term, refer to this condition of freedom-in-obedience as discipleship. As we consider law reforms in the West, we must accept that a unifying Ultimate Authority such as The Law may have been sacrificed to satisfy our desires for autonomy, a liberty we have mistaken for freedom. The kind of freedom we seek cannot be achieved by simply adopting practices of more intact cultures because we cannot realistically return to the conditions which are necessary for their success, conditions which most Western democracies would consider unacceptably limiting to individual choice. Efforts to legislate a return to such conditions will always risk the potential for reactionary authoritarianism (Braithwaite 86).<sup>22</sup>

Because we are mimetic creatures who, like newly hatched ducklings, will follow the first parade that passes by, if we are ever to be truly integrated as persons or communities the identity of that Ultimate Author-

---

<sup>20</sup>"On one hand, we have managed to assimilate the kind of universalism which refuses to make value judgments about different civilizations, proclaiming their intrinsic equality; on the other hand, by affirming this equality we also affirm the exclusivity and intolerance of every culture—the very things we claim to have risen above in making that same affirmation."

<sup>21</sup>Because "Law" did not manifest itself in the kinds of institutions familiar to Europeans, a Dutch visitor in colonial New York remarked that the Hudson River Indians appeared to have "no law." Nothing could be further from the truth.

<sup>22</sup>"The ideology of individualism dismantles the sanctioning capacities of these intermediate groups between the individual and the state. Ironically...this gives individualistic societies nowhere to turn for dealing with burgeoning crime problems but to the coercive apparatus of the state."

ity—who or what we "worship"—matters a great deal. In the West, where there is an Ultimate Authority void, retribution and violence are attractive options. Where Ultimate Authority is alive and well, there may be less of what we in the West think of as individual rights under law, either by way of discipleship or by totalitarian imposition. With an eye to locating the sources of Ultimate Authority, we can now examine several Restorative Justice alternatives to pure retribution. In each example the key is a "focal person," illustrating the centrality of the mimetic essence of selfhood and self-interest-in-community.

### **III. Models of Restorative Justice**

#### **A. Navajo Peacemaker Courts**

Chief Justice Yazzi of the Navajo Nation is a frequent speaker at Restorative Justice conferences. His presentations on Navajo Peacemaker Courts emphasize communitarian ideals of inclusion, non-hierarchical structures, lack of compulsion or partiality. However, a closer look reveals that Peacemaker Courts, like most restorative practices, do not aspire to impartiality, there is a clear hierarchy of authority, and there is a very powerful compelling force originating in an interconnected community's ancient religious and cultural traditions. In saying this I do not mean to minimize the Navajo achievement in adapting an ancient adjudicatory format to co-exist with systems in the surrounding dominant culture. Rather, I want to more clearly identify essential elements so as to better assess the viability of transplant or adaptation in the context of a broader reform of Western judicial systems.<sup>23</sup>

In 1982 the Chairman of the Navajo Nation Bar Association suggested that the Navajo's long tradition of mediation was strong enough to stand on its own as a Peacemaker Court. "Justice for the Navajo," he said, is synonymous with "self protection against the outside and taking care of matters internally" (Zion 91). In 1985 the Navajo Tribal Council adopted a Judicial Reform Act as the "law of preference in the Navajo Nation" (Zion 15, 16) although Peacemaker Court agreements and Navajo common law are

---

<sup>23</sup>The Navajo found precedent for adaptation among the 17th Century Pennsylvania Quakers who also had parallel systems of conflict resolution meant to take care of matters internally. Legal institutions for both groups had roots in religious experience. See Zion (96) citing Scott. See also Offutt (149). Friends were strongly encouraged to utilize processes of mediation and intervention at multiple levels within Quaker Meeting structure.

recognized by outside legal systems (Zion 107). Today approximately 200 Peacemakers serve in over 100 chapters of local government.

The Peacemaker system rests on principles reflecting the four sacred directions: 1) Structure which provides authority to tradition; 2) Protection to guard against abuse; 3) Choice between systems, where consumers are "traditionals," "caught in the middles," and "moderns"; 4) and, Enforcement, permitting a judgment to be also entered in a local district court records (Zion 100-101, 103). Traditional ways and beliefs are clearly important at the outset and codified in the 1991 Navajo Nation Code of Judicial Conduct which says "A Navajo judge should decide and rule between the Four Sacred Mountains" (Tso 16). The Navajo Nation, a clan structure matrilineal by blood and patrilineal through marriage, is a web of tightly knit inter-connections. In fact, the Navajo might define a wrongdoer as someone who acts as if he has no relatives; that is, a person who thinks he/she has no obligations to anyone within the clan. Compelling this structural "common law" and giving the Navajo legal institutions their particular character is the pervasive Ultimate Authority of *K'e*, the instinct to solidarity (Nielsen 183; Tso 17). An important norm for the Navajo Nation is clear boundaries which define relationships; they are essential to Law and to the preservation of the People.

Peacemaker Courts ban lawyers and judges (Zion 102). Instead a *Hozhooji Naat'aanii* or civic leader—literally, "Peace and Harmony Way Leader"—is appointed by a judge (Nielsen 184). Selection criteria are status in the community and personal integrity—the degree to which the *naat'aanii* embodies (integrates) prevailing community norms which embody the Ultimate Authority of *K'e*. The Western ideal of presenting disputes to an impartial stranger is incongruous; the *naat'aanii* is one who is powerfully connected to the parties and "persuasive precisely because he or she is related to the parties," able to craft solutions reflecting individual needs (Tso 19). The peacemaker is interested in—not neutral about—the very particular obligations of all parties bounded by the Four Sacred Mountains.

Peacemaker Court convenes with a group prayer which, like our ritual of singing the national anthem at a baseball game, gathers individuals into a group identity with a common purpose. The prayer invokes the "supernaturals" as both "participants and agents for action" (Zion and Yazzie 77). A Western observer attuned to separating church and state, and immersed in ideals of autonomous individuals might regard this as irrational and coercive. But since there can be no reintegration without a defined collective this is an essential pre-condition for all conflict resolution. Ritual mobilizes our

mimetic nature to compel group formation and there are numerous ways in which we utilize its power even as we insist we have outgrown the need. For example, when the U.S. Senate sought bi-partisan agreement in the Clinton impeachment trial, it was reported that the senators preferred negotiating in the Old Senate Chamber where, like descending into a sacred *kiva*, the spirit of history and tradition would inspire the solemnity and sense of moral duty required by the issue at hand (McNeil News Hour, Jan. 8, 1999).

The goal of the trial phase, or *ahwiniti*, is not to determine guilt and assign punishment, but rather to identify the *nayee* which is literally a "monster" that "gets in the way of life," and "slay" that monster (Neilsen 186). As such it is clearly a sacrificial scapegoating mechanism. The *hozho nahasdlii*, or resolution plan which emerges is a product of a resolved mimetic triangle when the monster/conflict is killed. Although the process of resolution is a talk-out, a non-violent exchange of words (as is a Western courtroom trial), the transcendent Ultimate Authority of a violent cathartic resolution is explicit in the Peacemaker language. In the context of judicial systems already weakened by semi-consciousness of arbitrary victimage such an explicit reference, even in mythological form, would fail to evince the transcendent Ultimate Authority necessary for effective violence deterrence or offender reintegration. Additionally, the arbitrary scapegoating of "monsters" would further undermine that sacred authority which must be "recognized by all" to ensure the successful functioning of the system. Retributive justice abstractions of "victim" and "offender" are failing for the same reason.

Building up to this essential cathartic conclusion, the *naat'aanii* may cite scripture and creation stories explaining *Hozho*, the order of the universe as harmony of all things in their proper place, and *K'e*, the instinct to solidarity. Such a lecture, coming from a person with the stature of the *naat'aanii* creates an environment which is intended to mimetically compel the parties into the awesome process of creation. The final *naat'aah*, or resolution plan details the specific duties which will enable that recreation. The words, "it is so," conclude the trial and mean "now that we have done this we are again in a state of *Hozho*," where each knows his/her right place, all is balanced (Zion 78).

## **B. Family Group Conferencing**

Family Group Conferencing, originally from New Zealand, reflects the international influence of Restorative Justice in accommodating traditional conflict resolution practices. The Maori, like the Navajo, utilize kinship obligations within a clan or *whanau* to enforce social order. Family Group

Conferences are similar to the Navajo Peacemaker Court in that they involve multiple parties caught in a zone of conflict, as distinguished from the retributive focus on a crime as having discrete elements of action and mental state attributed to a specific offender. More than Peacemaker Courts, Family Group Conferences seek to bridge cultural differences which may hinder adjudication in a pluralistic society. Since their introduction in 1989 the practice is now considered "the heart of the New Zealand juvenile justice system" (LaPrarie 577) and may be available to offenders up to age twenty.

As is also the case in many Western populations, the Maori encountered ambivalence about traditional norms from their young people increasingly exposed to Western-style consumerism. The Maori sought to combine old and new. Where the Navajo system is parallel, the New Zealand system integrates conferencing into the court system of the dominant culture. New Zealand's program has been termed the "first truly restorative system institutionalized within a Western legal system" and has been the model for programs in Australia and the U.S. (Unbreit and Zehr).<sup>24</sup> The approach may be called "integrated diversion;" that is, whenever possible at all stages of a formal adjudication process, the conflict is steered outside to a Youth Justice Coordinator who may, if necessary, convene a series of Conferences. A Conference is considered successful if expressions of disapproval, gestures of appropriate reparation, apology and reintegration are freely made (LaPrarie 585). An unsuccessful Conference, lacking any of these elements, may direct the case back to court for a formal determination of guilt, where conferencing might be used solely for sentencing.

Each Conference follows a standardized format but the variety of participants—victim, offender, the offender's family, police, a Youth Justice Coordinator or mediator, and perhaps a social worker or legal advocate—gives each Conference its own distinct flavor. Key to the process is the offender's choice of a "focal participant" (LaPrarie 595). The success of the conference may well depend on the selection of a person acceptable to the offender. This person may not necessarily be a relative, or even share a common racial or ethnic background, but simply must have credibility with the offender, the offenders family and in the community. In other words, the source of that credibility and its consequent mimetic influence, can vary

---

<sup>24</sup>Examining other programs is beyond the scope of this article, but Conferencing is part of criminal justice systems in Canada and the U.S. (see Minnesota) which incorporate restorative justice programs.

from offender to offender particularly in a pluralistic society.<sup>25</sup> Nevertheless, it is important that this focal participant not lose face in his/her community because any undermining of their prestige or status "could have long term consequences within the kinship network and the wider aboriginal community" (LaPrarie 595); that is, his/her ability to mimetically compel re-integration.

The Navajo *naat'anni* share this concern as do Western magistrates and judges. Their capacity to evoke mimetic desire is of primary importance because it is through mimesis that the offender will be brought back in contact with the Ultimate Authority embodied in the community's acceptable norms. The stabilizing capacity of a clear hierarchy is apparent. Distinguishing Judges by cloaking them in mysterious black robes is a token recognition of this mimetic role. If the focal person/ *naat'aanni*/judge is too much like the offender there is danger of rivalry, and the goal of the process—to check escalating rivalry/violence—will have been jeopardized.<sup>26</sup> Even if the overall process affords opportunity for a cathartic resolution, the encounter with a focal person—the mimetic model—which triggers a sense of remorse, not rivalry, must be sufficiently powerful to compel the wrongdoer to return to the normative community. Where few norms are shared by offender, victim, community, and focal person, it is often questionable as to whether or not there is sufficient foundation for remorse. Because of this, victim statements in Conferences and in Western courts, or shaming by significant others, may seek to awaken in an offender an awareness of the seriousness of his/her offense as a preliminary to accepting responsibility in the context of community norms. Adolescence appears to be the optimal age for Conferencing according to two New Zealand studies on recidivism. The same research indicates these techniques may be most helpful during phases of rehabilitation or transitioning out from prison. Given the trend in the U.S. toward eliminating parole and more punitive treatment of juvenile offenders, opportunities for optimal use of this process may be limited before they have been even explored.

---

<sup>25</sup>LaPrarie (595-596) gives an example of a 14 year old aboriginal female offender whose uncle attended her Conference in his official capacity of police aide. She was "angry and defiant" from the beginning, refusing to participate. Things turned around when the uncle abandoned his official role and began speaking as an uncle. A satisfactory outcome, still difficult to reach, may have been impossible without the uncle's change in role.

<sup>26</sup>Youth Courts, where counsel, judges and offenders are peers, report low rates of recidivism. Authority or rivalry is not necessarily linked to the usually cited identities of age, race, gender.

### C. The South African Truth and Reconciliation Commission

The journey of reintegration, from "outside" to "inside," is a focus of restorative justice. In South Africa the abrupt collapse of apartheid in 1994 and the unprecedented free elections which followed created a unique situation. From one day to the next the positions of "insider" and "outsider" were reversed. To borrow biblical language, the mountains had been laid low and the valleys raised. Reintegration was not enough because all had been effectively made homeless. As Archbishop Tutu says, victims and perpetrators alike required a "midwife" (in Girardian terms, a constituting Other) to bring them into a new being. Institutions which had once defined relationships, expectations, language, and social mobility were suddenly gone. Of that collapsed social infrastructure, there was very little anybody wanted restored or to be restored to and yet South Africans had to live side by side with one another, they had to be reconciled into a community. The Truth and Reconciliation Commission was intended to structure a starting point for that long process and to provide a context for a new community. In the midst of a crisis of distinctions of monumental proportions with persons desperately in need of the safety of closed circles, the Commission provided a visible prototype for a community compelled by the Ultimate Authority of a universalized *ubuntu*. Archbishop Tutu, as the focal person, provided a powerful mimetic model to the extent that he embodied forgiveness, essential for the universalized *ubuntu* which must be an important norm in that new community.

Practical considerations leading to the creation of the Commission included the advisability of diverting limited resources for rebuilding into litigating multiple human rights violations, the scarcity of evidence, and the difficulty of determining "just desserts" where past history had made a sham of the concept. In many ways, the sheer enormity of the collapse was the perfect condition for what might be more accurately termed transformative justice, something new from ashes of the old. The Commission's "third way" of granting amnesty in exchange for full disclosure is structurally similar to goals of retributive justice. Both, in theory, employ a carrot (possible freedom in exchange for truth), and a stick (arrest, prosecution and prison) to initiate a process animated by remorse and penitence. However, under different conditions, where social stability may yet be hanging by a thread, retribution still holds out the promise of quick "satisfaction," though seldom accomplished, as Sister Helen Prejean's account of life after capital punishment, *Dead Man Walking*, reveals. In South Africa, this promise

could only have been cynically promoted because of the pervasiveness of wrongdoing.

There is no question events could have gone another way. What made it happen the way it did, when it did? Can we point to anything specific to take with us into the future or to another place? For example, Archbishop Tutu asks why the quality of *ubuntu* didn't show forth in Rwanda? He acknowledges many things which simply came together in "the fullness of time" (Galatians 4:4), but he specifically points to a few "quite remarkable people" (Tutu 35). He describes Nelson Mandella as the "heroic embodiment of reconciliation and forgiveness," "a whole person," whose "suffering on behalf of others gave him an authority and credibility that can be provided by nothing else in quite the same way" (Tutu 39). These words could also be used to describe an effective Conference focal person, *naat'aanni*, or judge. It is significant, however, that Tutu notes "suffering on behalf of others" as the source of Mandella's integrity, as opposed to his embodiment of culture specific norms or communal expectations. An experience of suffering on behalf of others can be found in any closed circle community—the experience of the scapegoat expelled to "save" a community from escalating mimetic rivalry—and so has potential to draw many persons into a shared empathic experience. At a 1996 lecture at Albany Law School in Albany, New York, a Muslim scholar spoke about international human rights. He closed his talk with the suggestion that if all peoples would engage the image of a suffering child then we would recognize the intrinsic value of all human life. In other words, the mimetic power of the innocent and arbitrary-one-who-suffers is a source of Ultimate Authority capable of transforming our misperceptions about our relationships with one another. In Girard's mimetic theory, it is precisely our empathy with the "one" in the formula "unanimity minus one"—the arbitrary victim—that is the semi-consciousness of justice systems. This empathy, as it becomes more central as an Ultimate Authority, places us on a trajectory toward the total dissolution of culture as we know it. So, the capacity of the arbitrary-one-who-suffers to transform our misperceptions should not be understated.

It is no doubt accurate to say that there might not be a South Africa today without the Truth and Reconciliation Commission. It may also be that there would not have been a TRC without the presence of persons like Archbishop Tutu or Nelson Mandella. Perhaps that was the missing element in Rwanda. In South Africa, where structuring norms, laws, and traditions fell, the resulting void might have been filled and stability achieved by a powerful charismatic leader led by his/her own ambition or bitterness; the void might have been filled and a kind of order defined by multiple sources

of local control. But it is important to note that it was filled by persons who were "saved" from the consuming rivalry of competing desires because whatever their constituting Ultimate Authority, it transcended local community and personal self-interest. Such focal persons are uniquely capable of mimetically drawing others into a safe place as well.

#### IV. Where do we go from here?

Girard is not without hope because mimesis, he says, is "the structure and dynamic enabling human beings to open themselves to the world and engage in loving relationships" (Williams 290-291). Because mimesis itself is morally neutral, the key is: Which Ultimate Authority triggers our desires and compels mimesis? Mimetic desire will draw us down paths to violence or away from violence—Nazism, free market capitalism, Christian pacifism, Buddhism, or a lynch mob—and the path is not always direct. As I defined Ultimate Authority, mimesis is the means by which Ultimate Authority, embodied in norms would be perpetuated through *institutions or persons*. Where institutional authority is weak, *persons* as embodiments of Ultimate Authority will become most significant. In the movie *Elizabeth*, when the clay feet of social institutions were exposed, yet the need for their cohesive authority persisted, Elizabeth shifted Ultimate Authority to a "persona." Today, having challenged the authority of any persona, i.e., "status," as well as institutions such as Law, we are left with ourselves as the final refuge of Ultimate Authority.<sup>27</sup> This is both a blessing and a very dangerous situation. Late 20<sup>th</sup> Century history alone provides more than enough examples of how easily we can be seduced by charismatic leaders.

At the same time, if we are to go down paths of non-violence we must let ourselves be seduced by extraordinary models of Ultimate Authority like Archbishop Tutu and Nelson Mandella. Such models may be rare, but their ability to avoid being drawn into rivalry and the temptation to scapegoat is powerfully attractive. By mimetically emulating such models, even to the point of "becoming" them, the Ultimate Authority which they embody becomes part of our subjectivity as well.<sup>28</sup> We cannot stop being mimetic but

---

<sup>27</sup>The history of Law has been described as progressing from "status to contract," that is, from order imposed by birth to order determined by parties' arms length balancing of self-interest. See. Henry Sumner Maine. *Ancient Law* (165; 1864 ed.)

<sup>28</sup>*The New Yorker* (Aug. 24, 1998): Adam Gopnik writes about his analysis with a quirky Freudian psychiatrist which ended with the doctor's death. He closes with these words: "The transference wasn't completed, I suppose, but something—a sort of implantation—did take place. He is inside me. In moments of crisis or panic, I sometimes think that I have his

we can become more discerning about our models. This is not a simplistic suggestion but involves a great deal of self-discipline. Identifying persons who model that quality would be one place to start.

As we search for persons embodying Ultimate Authority, we must simultaneously engage our institutions because we still need their stabilizing structure. Consequently, our reforms may resemble junk sculpture, carefully pieced together from shards of broken norms, picked through as we search for Authority, trying to avoid authoritarianism. Juvenile justice reforms should be of particular concern because adolescence is such a critical time in human and cultural development. In a study conducted by Wayne State University School of Law titled *Nations Not Obsessed with Crime*, researchers examined a broad sampling of countries looking for influence on crime exerted by "informal controls," such as family, school, religion, work. In *Crime, Shame and Reintegration*, criminologist John Braithwaite, examined "shame based cultures," Japan and the Pennsylvania Amish, with low crime rates.

Both studies identified cultural or community norms such as time spent on homework, attachment to parents, moral beliefs, desire for approval, respect for police, church attendance, knowledge of the law as factors in violence control. No single norm emerged as definitive, but the list of norms which could not be ruled out leads to the Girardian conclusion that culture itself is nothing more than a system of violence control. If violence increases, it is fair to conclude that "culture" is no longer doing its job. Life for many young people today is a cultural void not unlike that in South Africa after the fall of apartheid. In a series on juvenile crime the *New York Times* quotes Mary Taylor Previte, an administrator of a pre-trial juvenile detention center in New Jersey. "Kids are falling apart," she said, because "... they have no memories, no rituals and no traditions." She goes on to say, that such things as "... memories of a daddy building a snow fort become a road map for the future. You have to give children comforting predictable rituals, so that they know that every day they will get up at a certain time and go to school at a fixed time. The problem now is kids are in chaos. They don't know what is going to happen. Violence is the response to not knowing what is going to happen next" (Dec. 30, 1994).

---

woolen suit draped around my shoulders, even in August. Sometimes in ordinary moments. I almost think I have become him." See also, Paul's Letter to the Galatians 2:20, "it is no longer I who live, but Christ who lives in me."

Stable culture, *hozho* to the Navajo, reassures people about what is going to happen next. They know where they stand. Unstable culture—not knowing what is going to happen next—leads to grasping at stability, all too often by means of the readily available Ultimate Authority of scapegoating violence. John Braithwaite suggests that because adolescence precipitates a rapid severance from predictable norms such as family and school, adolescents are by definition adrift, if only temporarily, from norming roots and so violence is always a potential (Braithwaite 91). Communities enjoying a high degree of *hozho* or *ubuntu* exhibit some urgency about inculcating norms at a young age. A stated goal of New Zealand's juvenile justice system is to protect "males from the influence of delinquents in their peer group and from high risk activities" and "tap existing sources of social control in the criminal justice system, neighborhoods, schools and families" (Graham and Bowling). For this same reason, in stable cultures, rites of passage attach a young person to a mimetically powerful person in the community—a godparent or mentor. The *naat'aanni* in the Peacemaker Courts and the focal person in Family Conferences would fit the bill. Indeed these processes resemble initiation rites to the extent that they are efforts to introduce a young person to collective norms and mimetically impress on them the importance of sustaining the social order.

Where there is no *K'e*, or Law as Ultimate Authority to compel *hozho*, like the children in William Golding's *Lord of the Flies*, out-law communities regenerate their own norms such as religion, family, and law, what have been called "habits of the heart" (Bellah viii, citing de Tocqueville) because they are mimetically imprinted, not conveyed through cognitive instruction.<sup>29</sup> Ritual, broadly understood, is the repetition of "habits of the heart" and is a powerful source of unity. Girard's insight that we shift from one "religious" practice to another seems to give credence to suggestions that reforms should include rituals. Why not borrow from more stable cultures? Because ritual involves "habits of the heart," the degree to which a ritual is mimetically compelling depends on the extent of the participants' shared experiences of Ultimate Authority.<sup>30</sup> We can only build on what we have been. In a 1997 *New Yorker* article Jeffrey Rosen writes about a University

---

<sup>29</sup>See Thomas F. Green: "What we require from moral education, however, is the actual sacrifice of self-interest and not merely its rational defense. In short, for moral education what we seek is not moral cognition, but normation" (91). Professor Green describes normation as a "matter of governance" which I equate to Ultimate Authority.

<sup>30</sup>The reservation system may have, to some extent, slowed infection by the dominant culture making "old ways" more easily resuscitated.

of Chicago Law School project examining the social aspects of law enforcement by identifying local rituals and attempting to capitalize on their authority to shame persons into compliance. However, he acknowledges that confusion about prevailing norms makes legislating such rituals (i.e., standardization) difficult without inflaming the culture wars. Inflaming the culture wars aggravates the itch to activate the generative mimetic scapegoating mechanism. Consequently reforms (rituals) aimed at cultural neutrality, such as Family Group Conferencing, may be more readily adaptable, but they pay a price for their objectification by weakening the Ultimate Authority inherent in more culture-specific practices. Objectification enables scripted protocols (Unbreit and Zehr 27), but ironically such efforts to reduce practice to dogma are really efforts to create an Ultimate Authority which, even with the best of intentions, often ends up looking like fundamentalism of some form.

How does anyone "get back" when they have been "outside" in a cultural vacuum, either by choice or by circumstance? Where can we find that closed circle safety where there is no community to go back to? Absent a community which constitutes persons, how does one feel welcomed into any relationship? John Braithwaite has articulated "Reintegrative shaming," as a prototype of a family, person or community that is *intolerant* and understanding, as opposed to *tolerant* understanding (Braithwaite 56). Proximity to even a single person who embodies Ultimate Authority in this form can trigger shame in a wrongdoer, a powerful feeling of self-annihilation comparable to the psychic death of Girardian undifferentiation.<sup>31</sup>

We inaccurately equate shaming with stigmatizing the way we equate hierarchy with dominance. Stigmatizing is an exercise in scapegoating, but reintegrative shaming always holds out the possibility of forgiveness. Stigmatizing falsely promises retributive satisfaction. The Truth and Reconciliation Commission provides an example of large scale reintegrative shaming. However, where Ultimate Authority is weak, such as in Western Law, there is danger that stigmatizing by fixing blame may become its primary activity, precisely because of its culture-constituting scapegoating capacity. In such a world wrongdoers are never released from their legal identity as convicts. Roads to reintegration are blocked: parole is eliminated, mentoring and transitioning services are eliminated, voting rights taken away permanently. Inclusion may make good political rhetoric but in the context of a weakened

---

<sup>31</sup>When our daughter was a toddler she did not accept criticism gracefully. On one occasion she stamped her foot and said, "'Don't shame me! It makes me feel like I'm dead!'"

Law, it does not serve the functions of scapegoating: to reassure the righteous (those "inside") and justify repeated sacrificial cleansings.

Because this ontological shock of shame, or "psychic death," is so shattering, if and when such an encounter occurs, it is critical that it be in the presence of a mimetic influence trusted to put the pieces back together. Trust is built on prior history mimetically reinforced. Among the Navajo the collective memory of the clan provides the historical context able to reassure a person that continuing to be an outlaw can be more painful than being shamed. In a community lacking a shared history of reintegration the importance of the focal person as the mimetic model is simply increased. The volatile state of undifferentiation brought on by the shock of shame makes a broken person susceptible to the mimetic influence of any Ultimate Authority. Today many young offenders live in an adolescent culture which prides itself on no shame, no taboos, and places a high value on outlaw status. But mainstream culture, already weak in Ultimate Authority, no longer defines what is shameful, taboo, or outlawed. The myth of the autonomous self which needs only the esteem of itself (self-esteem) also resists shaming. Such undifferentiation simply necessitates an Ultimate Authority with a proportionately more powerful mimetic authority, leaving us ever more susceptible to charismatic leaders of any stripe.

If, as Girard claims, all our desires are awakened by the desires of another, then Ultimate Authority embodied in a single person, experienced in a one-to-one relationship, can facilitate reintegration, at least at the personal level, where collective norms are weak. Byron Bland of the Center of International Strategic Arms Control suggests identifying "transcenders," or "people, actions, events, gestures, metaphors, dreams and visions" that "connect what violence has severed" (Bland 114). Of this list, a single "redeemed" or reintegrated person is perhaps the most potent. Reintegrated ex-offenders are powerful transcenders when they have experienced reintegration themselves. An article in the January 19, 1997 *Chicago Tribune* reported the story of Randy, a 14-year-old honor student who had "fallen in with the wrong crowd," appearing in juvenile court for robbery and car theft from a car lot. His two victims were in court to help Randy, and dropped charges in exchange for three weeks of help washing their cars. One victim had his own record of juvenile crime; both victims had experienced adults who had been intolerant but understanding. They were modeling what they had mimetically acquired. In similar fashion, a restorative justice program in Minnesota called The Red Jackets provides ex-offenders opportunities for juvenile mentoring and community service (*Restoring Justice*). The more

people actively engaged in a person's life the greater the potential for reintegrative shaming and forgiveness (Braithwaite 180).<sup>32</sup> Programs which increase the chances that a mediating Ultimate Authority will be "carried" into an Authority void via persons who have not so much learned to forgive, but how to be "'he forgiven" will bear up other restored lives (Hauerwas 89).

Young people particularly are in a cruel double bind. To be an individual, worshipping someone or something is the worst of all sins because it shows you're nothing but a sheep where the shepherd is a Pied Piper. But, discouraging mimetic creatures from imitating is like cutting off oxygen because mimesis is the only means by which we can become real and our only route to true healing justice. Mary Previte again: "In 20 years in this business, I've discovered that the kids that are turned around in almost every case are attached or glued to one decent human being." Reformers and policy analysts should focus on programs which promote one-to-one connections such as victim/offender mediation and mentoring. If mimesis is both the problem *and* the solution then we don't have to look very far for raw material.

#### WORKS CITED

- Adler, Freda. 1983. *Nations not Obsessed with Crime*. Littleton, CO: Wayne State University Law School (Vol. 50 of The Comparative Criminal Law Project).
- Bailie, Gil. 1995. *Violence Unveiled: Humanity at the Crossroads*. New York: Crossroads.
- Bailie, Gil. 1997. "The Vine and Branches Discourse: The Gospel's Psychological Apocalypse." *Contagion* 4.
- Bellah, Robert N., Richard Madsen, William M. Sullivan, Ann Swidler, Steven M. Tipton. 1985. *Habits of the Heart: Individualism and Commitment in American Life*. Berkeley: U of California P.
- Beschle, Donald L. "What's Guilt (or Deterrence) Got To Do With It?: The Death Penalty, Ritual, and Mimetic Violence." 1997. *William and Mary Law Review* (Jan.).
- Bland, Byron. 1997. "Marching and Rising: the Rituals of Small Differences and Great Violence." *Contagion* 4.

---

<sup>32</sup>Braithwaite proposes first utilizing due process to assess guilt and then immediately returning responsibility back to "relevant communities of interest creatively assembled in the courtroom by probation professionals." The challenge is once again identifying communities of interest.

- Bluehouse, Philmer and Zion, James. 1996. "Hozhooji Naat'aanii: The Navajo Justice and Harmony Ceremony." In Neilsen, Marianne O. and Robert A. Silverman, eds. *Native Americans, Crime, and Justice*. Boulder, CO: Westview Press.
- Braithwaite, John. 1989. *Crime, Shame and Reintegration*. Cambridge: Cambridge UP.
- Danielsen, Dan, and Karen Engle. 1995. *After Identity*. New York: Routledge.
- De Tocqueville, Alexis. 1945. *Democracy in America*. Vol. I. New York: Vintage.
- Dressler, Joshua. 1994. "Cases and Materials in Criminal Law." In *Understanding Criminal Law II*. St. Paul, MN: West Publishing Co. (American Casebook Series).
- Dukeminier, Jesse, and James Krier. 1993. *Property*. 3rd. ed. Boston: Little Brown.
- Girard, René. *Violence and the Sacred*. 1972. Baltimore: Johns Hopkins UP.
- . 1987. *Things Hidden Since the Foundation of the World*. Stanford: Stanford UP.
- Graham and Bowling. 1995. *Young People and Crime*. New Zealand: Home Office Research Study, No. 145.
- Green, Thomas F. 1999. *Voices: The Educational Formation of Conscience*. Notre Dame: U of Notre Dame P.
- Hamerton-Kelly, Robert. 1994. *The Gospel and the Sacred: Poetics of Violence in Mark*. Minneapolis: Fortress.
- Hauerwas, Stanley. 1983. *The Peaceable Kingdom*. Notre Dame: U of Notre Dame P.
- Herman, Harold J. 1993. *Faith and Order: The Reconciliation of Law and Religion*. Atlanta: Emory UP.
- Katz, Leo. 1987. *Bad Acts and Guilty Minds: Conundrums of the Criminal Law*. Chicago: U of Chicago P.
- Kolakowski, Leszek. 1990. *Modernity on Endless Trial*. Chicago: U of Chicago P.
- LaPrarie, Carol. "Conferencing in Aboriginal Communities in Canada: Finding Middle Ground in Criminal Justice?" 1996. *Criminal Law Forum* 6:576. Rutgers Univ. School of Law.
- Offutt, William M. Jr. *Of Good Laws and Good Men: Law and Society in the Delaware Valley (1680-1710)*. 1995. Chicago: U of Chicago P.
- Redekop, Vern. 1993. *Scapegoats, the Bible, and Criminal Justice: Interacting with René Girard*. Mennonite Central Committee, U.S. Office of Criminal Justice. Vol. 3 (Feb).
- Sennett, Richard. *Authority*. 1980. New York: Knopf.
- Tso, Tom (retired Chief Justice of the Courts of the Navajo Nation). 1992. "Moral Principles, Traditions, and Fairness in the Navajo." *76 Judicature*.
- Weil, Simone. 1955. *Gravity & Grace*. London: Routledge.

- Williams, James, ed. 1996. *The Girard Reader*. New York: Crossroad. *Hard Right Restoring Justice*. Video prepared by the Presbyterian Criminal Justice Program, Presbyterian Church (U.S.A.).
- Tutu, Desmond. 1999. *No Future Without Forgiveness*. New York: Doubleday.
- Unbreit, Mark, and Howard Zehr. 1996. "Restorative Family Group Conferences: Differing Models and Guidelines for Practice." *Federal Probation*. 60:3 (by permission, quoting New Zealand Judge F.W.M. McElrea).
- Zehr, Howard. 1990. *Changing Lenses: A New Focus for Crime and Justice*. Scotsdale, PA and Waterloo, Ont.: Herald Press.
- Zion, James W. 1983. "The Navajo Peacemaker Court: Deference to the Old and Accommodation to the New." *American Indian Law Review*.
- Zion, James W., and Robert Yazzie. 1997. "Indigenous Law in North America in the Wake of Conquest." *Boston College International and Comparative Law Review* 20:55 (Winter).

# SPLUTTERING UP THE BEACH TO NINEVEH...<sup>1</sup>

James Alison  
*Rio de Janeiro*

## I. Fleeing from the Word

Jonah, if you remember, was a most unwilling prophet. The word of God came to him, telling him to go and preach against the great city of Nineveh, for its wickedness had come up before God. Jonah immediately went in the opposite direction. Rather than heading across the fertile crescent to Nineveh, he rushed down to Jaffa and booked passage on a ship. Scripture tells us that

he went on board, to go with them to Tarshish, away from the presence of the Lord (Jon 1,3)

Not only was Tarshish quite the wrong way to go, it was a serious attempt to get away from the presence of the Living God. Why was Jonah so frightened? What was it about Nineveh that scared him? We get a clue later, when Jonah gets cross with Nineveh for repenting on cue. He hated Nineveh. He wanted it to be destroyed. He knew it to be wicked. Why go somewhere which should be destroyed and shout at its inhabitants to change their ways? They will probably give the messenger a rough time! Jonah did not appreciate that he was being sent to Nineveh for the good of the people there, yes, but also for his own good. At the end of the story he tells God that he hadn't wanted to go because he knew God was a loving God, and was too

---

<sup>1</sup>This talk originated as a presentation for the third annual conference of the Roman Catholic Caucus of the Gay and Lesbian Christian Movement held in London in March 1999.

angry at the thought that the people of Nineveh would get off so lightly. But we're not told that at this stage.

Jonah is the son of Amittai, which is to say son of "My Truth." So the whole story is set up from the beginning as one in which someone who is wedded to their own truth comes to learn God's truth the hard way. He knows what is wrong with the gentile world, but was at first able to hear only half of the word of God. He heard it as he was able to receive it: as a stern word of rebuke that he was to pass on to others. That was the state of his soul. Luckily, God had chosen someone who, invincible as he was in his righteousness, knew perfectly well that it is a terrible thing to fall into the presence of the living God, and suspected, at some level of his being that if, he, Jonah were to obey God, God would certainly break through the carapace of ordered adherence to true religion, and come into contact with a much more turbulent, stormy world, the world of shame and fear and hatred that is the underside of all ordered righteousness. Shame is a compulsion which heeds only one command: flee! And Jonah fled.

Thank heaven for Jonah's flight! Think how much more damage is caused by those who are not vulnerable to their own shame, who really do manage to fool themselves that their righteousness and God's are cut from the same cloth. Something in Jonah's being was vulnerable to the suspicion that the word of the living God would wreak havoc with his own carefully covered hatred and fear, the suspicion that that hatred of others and fear of himself were aspects of the same as yet unredeemed dimension of his own life. In that vulnerability was his flight, and through it, ultimately, he was reached so as to be taught how to be a bearer of God's word.

Andrew Sullivan has a line which catches this dynamic exactly: "Shame forces you prematurely to run away from yourself; pride forces you prematurely to expose yourself. Most gay lives, I'm afraid, are full of an embarrassing abundance of both."<sup>2</sup> Faced with the prospect of shouting at an incomprehending Nineveh with the hollow pride of those who love neither themselves nor those whom they must convince, Jonah, who knew at the root of his heart that he had been given something to say, went, as many of us do, into exile. Shame forced him prematurely to run away from the presence of God. He didn't yet know that the presence of God is where he is as someone loved: in fleeing the presence of God, he was running away from himself.

---

<sup>2</sup>*Love Undetectable* (London: Chatto & Windus, 1998), 92.

Now someone who has run away from themselves is not easy company. They are not at ease with themselves, and other, less complicated, people easily pick up the vibes. If we are in violence towards ourselves, that violence is magnified and projected onto, and picked up by, others. Jonah in full flight is in the center of a storm, yet he is asleep in the bowels of the ship. That is, he doesn't appreciate at all that there is a storm going on, even less that it has something to do with him. Like so many who are in flight, he has managed to cut himself off from the pain and violence which is his, so the violence rages around a superficially imperturbable and serene center. Jonah's shipmates, who are after all his hosts, are not fooled. Like the good, straightforward pagans they are, unbothered by the responsibility of the command not to hide behind sacred structures and to face the living God, they react as good pagans know how to when threatened with a violence beyond their ken: they cast lots, for they have known from time immemorial that if they sacrifice the troublemaker, then peace will ensue.

Quite rightly the lot falls on Jonah. Of course: he is the outsider, not one of them. Furthermore, he has the sense of superiority of the Yahwist in gentile company. In short, he is the obvious recipient of the short straw. When the worried sailors form an unanimous circle, their fingers pointing at him, Jonah understands what's going on. He draws himself up with all the superiority of his birthright and tells them that he is a Hebrew, with real access to what is really going on. After all, it is the Hebrew God who is in charge of all that surrounds them. The shocked fingers both signal the unique excellence of the victim-to-be—from his point of view he is much better than they—and the unique awfulness of his transgression, about which the sailors need no explanation: the violence which has engulfed them is clear indication that something terrible is afoot.

Let us imagine Jonah, waking from his sleep, but wakened only at one level of his being. The shouts of the panicking sailors summon up in him at least the "pride" part of his being—the knowledge of his faith and his privilege in having been addressed by God. A good Jewish prophet knows how to react to violent interaction with pagans: you stand up for your uniqueness and get yourself lynched. Isn't that what it's all about? He hasn't yet allowed the word of God to get to the deeper part of him, his shame, where he might be loved, and so stop causing all this chaos. At that level he is still running away. He is not yet aware of the real source of the turbulence, and so can't act out of the calm of one who is loved.

So Jonah himself suggests to them that they cast him overboard, and all will be at peace. In flight from bearing the word of the living God to its

appointed destination, he knows at least the surface story of what must happen to a good Hebrew prophet: he gets lynched, and that's how he gets to be canonized as the good guy. His hosts, however, are savvy enough in their paganism to appreciate that one really shouldn't sacrifice someone so easily—it probably occurred to them that the self-importance of their guest was at least a contributing factor to his being so obviously a candidate for victimhood—in other words, that he was asking for it, and one shouldn't yield too easily to playing the part of the lynch-mob for the benefit of stoking someone's prophet-martyr complex.

So, with a decency not to be despised, they do their best to pay no attention to Jonah's confession, and carry on trying to get to calmer waters under their own power. To no avail—the crisis which Jonah's flight from himself and the presence of God has brought upon them is far stronger than one with which they can cope. In very truth, their lives have been thrown into tumult by something much more turbulent than a normal social life can know about, let alone negotiate peacefully—Jonah's resistance to the determination of the living God to get through to the heart of someone He loves. As the loved one flails about, trying hard to avoid that love, he unwittingly causes real chaos around about him.

Finally, the sailors give up. They recognize that the whole situation is beyond their puny mechanisms for putting things right, and agree to sing to Jonah's score. With an appropriate covering prayer, whose entire purpose is to transform what they suspect to be a Jonah-inspired murder into a divinely inspired sacrifice which will bring all the trouble to an end, they consent to cast Jonah overboard, and do so. Immediately, of course, peace and calm are reestablished, and they recognize, as good pagans after a lynch sacrifice, that they have been visited by a transgressive god of extraordinary power—one who brings chaos, and then brings order out of a violent sacrifice. So they quickly do what good pagans should: they reproduce the violent lynch in a liturgical sacrifice, and show their fearful adhesion to this new order by making vows:

Then the men feared the Lord exceedingly, and they offered a sacrifice to the Lord and made vows. (Jon 1,16)

At this point these delightful stage extras sail off into the sunset, presumably to a barbarian island north of France and east of Ireland, where to this day their religion is alive and well, and mistakenly thought to have something to do with the living God.

Meanwhile what about Jonah? Remember where he had been before: half of him had been awakened—the pride half: just enough for him to put up a good stand on behalf of his religious heritage, orthodoxy and the true faith. His shame half, the half that had led him into flight, was still unrecognized, and so was playing its compelling role in the drama, urging the sailors on into throwing him overboard. To be killed as a martyr is, after all, a jolly convenient way of sorting out the conflict of pride and shame—the pride tells you that this is what should happen to a good man and a prophet, the shame is a dishonest consent to that. It says: "I hate myself and cannot live with myself, but on the other hand, I know that it is wrong to kill myself. What if I manage to set it up so that I get killed 'in the course of duty?' Then of course, the only story that people will read will be the unambiguous one, the story of the prophet and martyr. Who need know of the suicidal shame that was in truth driving my story with its violent and unreachable compulsions? Who need know that I was worse than a pagan, for I was co-opting them into my terrible drama, while allowing them to be blamed for it, when all I really wanted to do was to kill myself?"

Such, we may imagine, were the conflicting facets of Jonah's soul as he pitched over the side of the vessel, and into death. Jonah, of course, did not have the advantage of having read the book of Jonah, and so knew nothing of what is, for us, the most memorable element of the story:

And the Lord appointed a great fish to swallow up Jonah; and Jonah was in the belly of the fish three days and three nights. (Jon 1,17)

Jonah had thought he was plunging into death. There must have been something of relief in his descent. At last it was all over. But it was not. Unknown to him, while he thought he had engineered his death, setting it up so as to avoid finding himself in the presence of the Lord, God had a different idea. His plan was to tag along while Jonah would not allow himself to be reached, and then, when he had plunged into the deep, to hold him in being while he was devoured by all that tumultuous fear, hatred, and darkness which had glowered beneath the surface of his faith. The great fish is nothing other than God holding Jonah in being in the midst of the darkness and fear. It is as if, in the midst of a suicidal depression, there where even a person of faith can find no foothold, where there is no remedy, where the person's very being is disintegrating and there is no light, nor even a tunnel at the end of which a light might be, just a downward sucking whirlpool which drags you out of being, even yet you are held in being by a force which is not your own. I imagine the great fish to have been transparent, so

that Jonah was not aware for a good part of those three days and nights that he was anything other than being lost, utterly swept away by forces whose swirling he had always dreaded. He could see and feel the darkness, and yet not be aware that, in the midst of that, he was being stitched together, reached, held at a depth which he had been unable to imagine.

Yet, as the storm of destruction went on, Jonah eventually found that he *had* been reached, that, in the midst of all that, there was, after all, a real "he" that could be reached, that could be held in being, that could be put together, so, as the three days and nights went by—maybe years in which the suicidal depression had left him flailing without being or belonging—for the first time he finds himself able to do something utterly new: Then Jonah prayed to the Lord his God from the belly of the fish (Jon 2,1).

Earlier God had addressed his word to Jonah, but the word of God was not heard as a word is heard by a person, it was heard as a goad which produced the Pavlovian response of flight. Jonah hadn't been up to complain of God raping him, like Jeremiah, had not even tried to excuse himself on the ground that he was a man of unclean lips, like Isaiah, before getting on with his task. He had just bolted. Now, in the depths, where he has been reached, and an "I" put together that is capable of dialogue, he prays to one who is no longer described as just "Lord," or "God", but, for the first time, "the Lord *his* God," and comes out with one of those psalms of gratitude for deliverance from the depths of distress, with all the usual imagery: the pit, the flood, weeds wrapped around his head, definitively cast out and so forth. When he gets to the end of his psalm he says something which is both a bit of a surprise, and yet what it is all about. The RSV translates it:

Those who pay regard to vain idols forsake their true loyalty. But I with the voice of thanksgiving will sacrifice to thee; what I have vowed I will pay. Deliverance belongs to the LORD! (Jon 2, 8-9)

However, that's not quite what it means: that still sounds like a self-righteous Yahwist being one-up on the Gentiles. It would be a little closer to the Hebrew to translate the passage:

Those who hold fast to what is vain apostasize from their own lovingkindness, but I will sacrifice unto *thee* with the voice of thanksgiving; I will pay what I have vowed.

These are the words of someone who has been reached, and has realized that he had been holding onto vanity, and so had apostasized from his own being

where alone he might be loved, but now is turning towards the source of that being with the voice of thanksgiving. When Jonah announces that deliverance is of the Lord,

the Lord spoke to the fish and it vomited out Jonah upon the dry land.  
(Jon 2,10)

It would not be impious to observe that the very moment that Jonah was able to speak as one who had ceased to apostasize from his very own being, in that moment the fish had served its purpose, and Jonah had made it to dry land.

## II. On the beach

In the rest of the story, Jonah gets to Nineveh, and scarcely opens his mouth when the whole city goes into an over-the-top repentance routine. Even the cattle get decked out in sackcloth in what must be one of the campiest scenes in Scripture. Jonah is furious—in fact the whole thing is an elaborate Jewish joke in which God camps Nineveh up completely just to get through to the anger of his humorless prophet. Finally God does break through to the point where Jonah is able to confess his desire to die, the real nihilist in comparison with whom the sinners of Nineveh are guileless. Then God is able to plant in this soul of a wounded prophet, in the form of the unanswered question with which the book ends, a hint of the depth and breadth and tenderness of his love.

"and should not I pity Nineveh, that great city, in which there are more than a hundred and twenty thousand persons who do not know their right hand from their left, and also much cattle?" (Jon 4,11)

But it is no purpose of mine to do a reading of the entire book—which, let it be said, is to this day the appointed reading for Yom Kippur, the bleakest penitential day of the Jewish year. I want to stop on the beach, since that is where I find myself, and ask you to join me there as I bounce off you some of my splutterings, as we gather ourselves and head for Nineveh.

Jonah's story is exactly the classic story of death and rebirth—so much so that Jesus is on record as having used it as the only sign which would be given to his interlocutors,<sup>3</sup> and I bring it to you here because I have found

---

<sup>3</sup>Mt 12. 39-41; 16, 4; Lk 11, 29-32

myself inscribing my own story into it and am sure that I am not alone. My own story has been one in which I knew at some level, since the wrenching experience of falling in love with a school colleague when I was nine years old, that the word of God was one of love; but as I grew I was unable to allow myself to hear it in the depths of my being. Those depths were utterly prisoner to the voices of hatred which form us as gay people, the lynch shout of the school playground, magnified into adult tales of horror at the sort of people we are becoming, and canonized by an ecclesiastical voice which has been so tied up in all this that it has been incapable of discerning between the voice of the world and the voice of God so that it says: love, and do not love; be, and do not be. The voice of God has been presented as a double-bind, which is actually far more dangerous than a simple message of hate, since it destabilizes being into annihilation, and thinks that annihilation to be a good thing.

And of course, the true horror is not that there is a "they" out there, doing this to a pure and innocent "us," but that we are all deeply personally involved in the "they," finding it both necessary and apparently righteous to hold onto vanities and apostasize from the source of loving-kindness, even when, deep down, we may suspect, and then repress, the utterly destabilizing possibility that whoever God be, he cannot be involved in all this. The result is that at some time our "I's" are likely to have been fully consenting participants in the hatred and fear—often it is those of us whose conscience is worst who are most drawn to, most defensive of, and most likely completely to identify with, the sternest and most watertight expressions of religiously or politically orthodox hatred, hoping to whitewash all our ambivalence by turning ourselves into crusading martyrs for the cause of some righteousness which we know, deep down, will never be ours.

In my own case, the exile into which so many gay men, at least, send ourselves, as our battle between pride and shame wags our lives like some unremitting tail on a hapless dog, was a real geographical one, acted out a whole ocean away over many, many years. Like Jonah, I managed to set myself up to be thrown overboard in a storm which was at least in part my own, and like Jonah, I found that just where I thought that I had at last managed to get myself thrown completely away, I found myself caught and held through the depths in which the utterly terrifying and yet completely gentle, unambiguous "yes" of God started to suggest into being the consciousness of a son, to bring forth the terrifying novelty of an unbound conscience.

I find myself having been vomited up on the shore, which in my case coincides with returning to this island, and wondering where on earth is Nine-

veh, and what on earth to say to it. As I stumble up the shore, spitting out remnants of salt water, astounded to be alive, let alone to be a human being, there's so much to be worked out, and I come to you for help, to ask you to join me in my splutterings.

### **III. Elements of the birth of a Catholic conscience**

I'd like to stop and think a little about the novelty I described, that of the consciousness of a son or daughter, the unbound conscience. This is really quite extraordinary. For normally we think of conscience as to do with morally informed decisions or dilemmas, and consciousness as to do with awareness of being, even though the two are the same word in most Latin languages. Here I am talking about a being held in being that is not over against anything at all, not as a concept or an idea, but as a state of being that is simply not frightened of not being, and rather than being worried about whether or not certain things are right or wrong, is excitedly curious about what I am being given, as part of a becoming whose parameters I can neither measure nor imagine. And not being able to measure or imagine this means that I'm spluttering about, not really quite sure what life project I am to build, because not really sure what story constructively to tell.

The old story was easy to tell, because it was always a story over against others, with goodies and baddies, the taking of positions, and the desire to be a hero or a victim, or both at the same time. The new story has no clear script, though it does have a short preface: the preface is one of being killed, and finding oneself held in a life that can no longer be destroyed.

Another part of this birth of the consciousness of a son, is that it is simultaneously the birth of the consciousness of a brother. For me at least, part of my exile was never being able to say "we," never belonging or feeling quite part of anything through childhood, school, university, religious life. In 1995 I had the extraordinary good fortune to find myself in Chicago, attending the gay parish mass organized by AGLO (Archdiocesan Gay and Lesbian Outreach), with its regular attendance of 300-400 guys. Not only was this the first time in my life that I had ever been to Church because I wanted to be, rather than out of some mysterious obedience (and this after seven years of priesthood!), it was the first time I had ever been to a liturgy in which I was an invited guest at the party, rather than a tolerated spectator at someone else's party. A principal effect of this was that I found myself able for the first time ever to say "we" and actually mean it, relax into it, relish it, and roll around in it.

Shortly after this experience I read a holocaust survivor's description of the lengths to which the captors went to destroy any possible sense of "we" among the inmates. Where people could be reduced to individuals, they were stripped of their humanity. Where people managed a "we," their humanity was indomitable even when their lives were so easily destroyed. Yet the ecclesiastical package of doctrine and practice, classifying us as defective heterosexuals, recommending and institutionalizing the closet, and refusing any suggestion that we be treated as a class, and therefore with a respect according to who we are rather than what it is feared that we might do, has had as its effect, wittingly or unwittingly, this constant reduction of our humanity. How much more extraordinary, then, is the fact that the discovery of the conscience of son and brother for a gay man should be the discovery of the most profoundly Catholic sense of conscience. For this is not the heroic Protestant conscience, an "I" all alone against a wicked church or world. This indestructible conscience of a "we" beyond being killed is the very possibility of Church as sign of an as-yet-unimagined kingdom.

A friend has suggested to me that what I experienced in this birth of a hitherto unsuspected "we" was merely the solidarity of the suffering group. I can imagine such a solidarity, but that is not what I was feeling, for there was in it no sense of group limits, of a group over against other groups, even of a group over against ecclesiastical structures. It was part of the birth of a Catholic conscience: that "I" is only possible as part of a potentially limitless, and hence universal "we" and that "we" are being called into a playful, exciting, responsible construction of a new creation.

I bring this up, because, as I stagger up the beach I find myself becoming aware of, and coming into contact with other tentative shore-treaders, cast-ups from analogous storms, vomitees of similar whales. Are we huddling together for comfort, sharing the solidarity of the survivor, with the temptation to wallow in what has happened, so that what we share is a mutually comforting self-pity? I suspect that this is not what it's about at all. If we have come through death and find ourselves born again and held in being at a level which we never imagined, this is of itself a forward-looking thing. For the amazement is not that we have survived: in one sense we haven't. We've been killed, lost a being, and find ourselves being given a new one. No, the amazement is that it is our experience of being killed which both empowers and obliges us to learn to tell a new story at a depth and in a way which actually makes it good news for others. Remember, we have not been asked to preach resentfully to the sailors on the boat, but to Nineveh, *and God adores Nineveh so much that he would not have us talk to it until we're*

*able to imagine it as utterly lovable, so that we find ourselves thrilled with all the transformations in that great city, which God, who sends us as a few labourers into a huge harvest which is doing pretty well without us, is bringing about before we even open our mouths.*

#### **IV. Hints of a new creation**

As part of my splutterings, I would like to give a tentative example of this dynamic: among the forces which we have found contributing to our death has been a particular sort of understanding and use of the doctrine of Creation. You all know what I'm talking about: creation has been presented as part of a moral story which goes something like this: God created everything good, and in particular God created male and female as complementary to each other. Original sin happened, so the order of creation, with its natural laws of flourishing as we grow towards the Creator, has been severely corrupted. Luckily, Jesus was sent along, and by paying the infinite price of agreeing to die so as to cancel out the infinite debt which humanity had amassed against God by perverting his creation, he saved us. This means that our lives now consist in being empowered to recover and live out the original order of creation, a task which is arduous but possible. Since in the original order of creation, male and female were made complementary to each other and told to multiply, it is manifest that any other form of coupling is intrinsically disordered and must of its nature be a partaker of the order of original sin, not of the order of renewed creation. Therefore, while many of us may be weak as regards avoiding particular incidents of inappropriate coupling, these can be forgiven so long as they are not justified. However, any attempt to justify any other form of coupling must be resisted as a serious offense against the objective truth of the order of Creation, and ultimately one which could exclude us from heaven.

Now, this is a pretty watertight argument, and the moment an argument is watertight, a responsible intellect has to wonder whether this can really be a theological argument at all. Curiously, I don't want to go down the path of arguing with it, since I suspect that to do so is to stand on the beach shaking a fist at the sailors on board the long-departed ship: that is to say it is likely to be an argument born from resentment, not from grace. It is furthermore the case that there is no point arguing with a watertight argument, since those who produce such arguments are, by definition, the sort of people whose first reaction when challenged by something different is to see it as a threat, and to circle the wagons. It is only when the Indians ride on by

without paying them any attention that they may be drawn out of their circle and nudged by a timorous curiosity into the free flow of grace; and if they don't come out, judging an invitation to play to be a threat to their goodness, well, that's God's problem, not ours, and they are well in His hands.

No, I'd rather look at it as we find ourselves and each other on the beach, wondering at how our experience at the hand of this story of creation-as-moral-package leaves us in an extraordinarily good situation to prepare our words for Nineveh. I suspect I am not alone in understanding that this moral package, which seems an expression of Christian orthodoxy, is very much at work in what has killed us. However many caveats are put into it concerning the distinction between acts and orientation, this package grinds down on us and says: "As you are, you are not really part of creation. While it is true that for heterosexual people their longings, desirings, seekings after flourishing and sense of what is natural really do correspond to the order of creation, however much they may need pruning and refining on their path of salvation, this is not true for you. Your longings, desirings, seekings after flourishing and sense of what is natural, however they be pruned and refined through experiences of partnership and love, have absolutely no relationship with creation. There is no analogy between them and creation. For you creation is a word whose meaning you simply cannot and do not know from experience, since everything most heartfelt that you take to be natural is intrinsically disordered, and it is only by a complete rejection of your very hearts that you may come to know something of what is meant by creation. Until such a time as this happens, limp along, holding fast with your minds to the objective truth about a creation which can have no subjective resonance for you, and when you are dead, you will enter into the Creator's glory."

I suspect that all of us have, to some extent or other, allowed this package to bear down on us, have interiorized it, and have allowed it to chew deep down into our souls. It is part of the theological double-bind: love, but do not love; be, but do not be, which I mentioned earlier. This is a profoundly destabilizing force, since over time it means that our lives are not real lives, our loves are not real loves, our attempts to build stable and ordered relationships have no real worth, our minds and hearts can only produce sick fruit, not worth listening to or countenancing, let alone receiving or blessing. We are not children in a garden, we are living blasphemies, and since with every footfall we tread illicitly on a sacred lawn, it would be better not to tread at all, let alone walk confidently and make something of our stay. Many of us experience this as having killed us.

But here's the part which interests me: those who are killed are free from their killer, and can stand back and wonder what it was all about, not with a view to pointing out what was wrong with the story, but with a view to rescuing and revivifying what is right. Let me say this more strongly: where we have found ourselves killed by forces which include a blasphemous and sacrificial understanding of creation, as we come to find ourselves held by God in a being which is immune to death, so we are in a quite extraordinary position to begin to provide something new to offer Nineveh, its people and its cattle: an emerging understanding of creation that is tied in with the sense of an utterly gratuitous being held in being over against nothing at all. For this understanding, the particularly privileged starting point is that of those whom the apparent order of creation has reduced to nothing at all. I think St. Paul was onto this when he told the Corinthian community:

For consider your call, brethren; not many of you were wise according to worldly standards, not many were powerful, not many were of noble birth; but God chose what is foolish in the world to shame the wise, God chose what is weak in the world to shame the strong, God chose what is low and despised in the world, *even things that are not*, to bring to nothing things that are, so that no human being might boast in the presence of God. (1 Cor 1,26-9)

We are in fact set free to begin to reimagine creation starting from our position as ones who, though a thing that is not, have found ourselves held in being by a force of invincible gratuity depending on nothing at all, part of no argument, simply giving life out of nothing. And this, let it be clear, is not only a permission to jump up and play, but is also an invitation to rescue a part of the Good News that has fallen prisoner to Babylon.

There are few more important dimensions of the Good News than the access which it gives us to our Creator as our Father, and to the sense of creation as of a given and undeserved participation in an extraordinary and constructive adventure out of nothing, the shape and fulfilment of which becoming and flourishing is as yet very difficult to sense, the rules and natural laws of which are discovered by its participants as they develop. And, wonder of wonders, we who were treated as "not-part-of His creation" are beginning to discover ourselves as "delighted-in co-workers in My creation."<sup>4</sup>

---

<sup>4</sup>See Is 62. 3-5;

Again, what is extraordinary about this is not that it is a secret gift to us poor downtrodden queers, but rather that God is using his unspeakable creative vitality to make out of what seemed like an excrescence on the face of creation what it really has been all along: a delighted-in, precious and valuable part of His creation which is able to offer to others a quickening of their awareness of what an adventure it is to be a child created from nothing! You have heard it said "the stone which the builders rejected has become the head of the corner,"<sup>5</sup> but I say to you, "unless we find ourselves sharing in the being rejected, we have no sense of the coming into being of the head of the corner," and if that sounds blasphemous, then perhaps it is because God who was "counted among the transgressors,"<sup>6</sup> makes a habit of waving blasphemy like a red cape before the horns of the theological wisdom of the world.

The Christian understanding of creation has been in crisis for several hundred years, a crisis provoked almost entirely by the obstinacy with which the order of creation and the order of this world, which includes its human social structures, violence and prejudices, have been yoked together. The doctrine has found itself press-ganged into service as a raped handmaiden of those for whom the status quo is sacred, and has been wielded as a weapon justifying every conceivable resistance to change. Think of arguments about the naturalness of slavery, about a pyramidal monarchical form of government being the structure most analogous to God's ordering of the world; think of the huge problems surrounding the discovery that the earth goes round the sun—and I don't mean the row between the Roman Curia and Galileo, I mean the shifts in ordinary people's imaginative vision and social relationships which the fallout from the discovery has tended to produce; think of the battle lines drawn up as the birth of the understanding of evolution crossed those whose literalistic reading of Genesis was part of their maintenance of established order, values and so on.

And yet the increasing shrillness of those who have insisted on reading God's creation from established order, thus turning the Christian doctrine into a sacred tabu rather than a truth which sets free, has never successfully impeded the ongoing, vulnerable, tentative truth about God's creation from emerging, usually at the hands of those considered its enemies. I think we find ourselves at the tail end of this long, sad argument. I rather suspect that

---

<sup>5</sup> Ps 118, 22

<sup>6</sup> Mk 15, 28

the issue of gay love and relationships, really rather unimportant and banal in itself, has become a sort of hermeneutical flashpoint because those who find the "natural" order of the world and of their own lives gradually melting away beneath them under the pressure of an ever more obviously socially constructed world—and that means one for which we are invited to take responsibility—are flailing about trying to establish an order outside themselves. A crisis of identity needs someone else to be responsible for it so that they can be sacrificed and decent order and stability established, which of course it never really is. It is the mysterious center of the Christian faith that the one who finds him or herself to be that sacrificial hermeneutical flashpoint gets to be the one who tells, not as accusation but as forgiveness, the story of what was really going on, thus enabling many, many others the peaceful breaking of heart which allows them into the dizzy party. This means that we are coming into the wonderful position, having been sifted like wheat, of turning again to build up all our brothers and sisters.<sup>7</sup>

While in theory the teaching on the natural order of creation should fall even-handedly on straight and gay alike, in fact there is usually enough residual sense of being "natural" among straight people for the teaching not to pursue them to the depths of their being as it tends to do with us. The result is that we have found ourselves forced through into being the advance guard of a serenity about nothing human being simply "natural," but everything being part of a human social construct, to the extent where we can begin to imagine God quite removed from any justification of the present order, and yet ever palpitating beneath the vertiginous possibilities of the bringing of a divine order into being. This is likely, increasingly, to be immensely important as straight people face the fragility and directionlessness of what seemed natural, except it be received as an invitation to build something for which the rules of the game are being written as we go along. The collapse of the "natural" is not the collapse of belief in creation, it is what alone clears the human space of violent idolatry and allows the persistent gentleness of the Creator and his invitation to adventurous participation to become apparent.

These are only splutterings—but I'm beginning to sense that we've been invited to recover something of immense value to our brothers and sisters in Nineveh, and that as we develop it, we will find that we offer to them not a rebuke, but a relief, and a relief that will be turned into a shared delight.

---

<sup>7</sup> See Lk 22. 31-32

#### IV. And so much more to come...

I have talked here about Creation because the potential for a rediscovery of a Catholic sense of creation seems to me to be both such a joyful one, and one inviting of deep and far reaching reflection; one which, given time and leisure, I would love to explore more fully. But we could have talked about reading the Bible, and the same dynamic would have become apparent: one of the reasons why the gay issue has become so vastly overimportant in Christian circles is that we belong to a generation that is finding it increasingly impossible to read, understand, and not be scandalized by, the Bible. So either we stop reading it, or we cover up our scandal by hanging onto an idolatrous literalism which is completely invulnerable to penetration by the living word of God. For those tempted to this latter course, once again, the unflinching holding to a peculiar literal reading of certain texts held to deal with gay people is the last gasp of a struggle, already several centuries old, desperately to try to get sense out of Scripture without letting go of power and learning instead to read the texts from the only place from which they can fruitfully be read, which is in the company of the crucified and risen victim as he accompanies his disappointed disciples to Emmaus. Scripture as vulnerability to God rather than Scripture as protection from God.

Once again the mechanism is the same: those who are ground down and killed by the idolatry of a certain reading are given the extraordinary pleasure and task of turning again and confirming our brethren, making it possible for the Scriptures to become the finely-tuned instrument through which the Spirit of God plays words into all our hearts. In this task too we will find we have something to offer to Nineveh, something which we will be surprised to find being greeted with cries of relief.

I could go on—the same dynamic is true of the doctrine of revelation, of salvation, of the sacraments. However I don't want to suggest that we must all become theologians. What I am suggesting is that as we take on board the gratuity of finding ourselves alive and on the beach leading to Nineveh, we will learn to respect what brought us there, and look back at our journey and our lynching without resentment. We will increasingly find a vivifying and unstoppable dynamic inviting us to create new structures of being together. This dynamic has in itself nothing to do with our being gay or lesbian, yet it has been released because God himself is once again making out of a serious refusal on the part of humanity to accept part of itself as God-given, which is a refusal to accept being created—God is making out of this refusal a spectacular show of creative forgiveness. For this is the sort of show which can subvert hard carapaces and melt stony hearts into what

we really want to be all along, but are too frightened to access—playful, spoiled children called by name to frolic and to be indulged at an enormous party.

There is coming upon us an invitation to be heralds announcing this party, so let us sit together upon the beach before Nineveh and ask each other like good Catholics how the hell we're going to put off doing anything about it.

## WHAT VOEGELIN MISSED IN THE GOSPEL

John J. Ranieri  
*Seton Hall University*

Violence and order are the themes that structure Voegelin's work. From the early writings composed in response to the emergence of National Socialism to the closing years of his life in which he confessed to a "perhaps misplaced sensitivity towards murder"<sup>1</sup> as the primary catalyst for his philosophical pursuits, Voegelin is preoccupied with the relationship between the good of order and the violence that can both undermine and preserve that order. His theory of consciousness, his philosophy of history, and his "new science of politics" form a complementary whole when understood as expressions of his lifelong concern to find ways to guard against social and political chaos.

This preoccupation with order makes Voegelin especially wary of any social, political, or religious movements which, in his view, contribute to the dissolution of social stability. It is in this context that his uneasy relationship with the Bible must be understood. While acknowledging the importance of the Jewish and Christian scriptures in the historical unfolding of the differentiation of the divine Beyond, Voegelin also maintains that many of the forces of disorder in modern society have been generated within their orbit.<sup>2</sup> The dazzling intensity of the encounter with the biblical God can lead to dissatisfaction with life in this world, resulting in reactions of either withdrawal from the surrounding culture or the more immediately de-

---

<sup>1</sup>"Autobiographical Statement at Age 82" in *The Beginning and the Beyond: Papers from the Gadamer and Voegelin Conferences* (117).

<sup>2</sup>See *Order and History*, vol. 1, *Israel and Revelation* (xii-xiv); *Order and History*, vol. 4, *The Ecumenic Age* (20, 27); "The Gospel and Culture," in *The Collected Works of Eric Voegelin*, vol. 12, *Published Essays, 1966-1985* (200-210).

structive alternative of trying, by whatever means necessary, to bring a recalcitrant society into conformity with the divine perfection. As revelation of the "God beyond the gods" the Old and New Testaments are unsurpassable expressions of the transcendent source of order. At the same time, they are the seedbeds in which social upheaval easily germinates. As generators of both order and disorder, few biblical books have been as influential as the four gospels. It is Voegelin's treatment of these texts that will be my concern here.

The ambiguity of Voegelin's relationship to the gospels is reflected in the twofold meaning of the word "missed" in the title of this essay. In the first place, the word can be understood as referring to Voegelin's *critique* of the gospels; to speak of what Voegelin "missed" in this sense is to focus on that which he finds lacking in them (yet wishes were there). My primary interest, however, is on the meaning of the word as indicating that which Voegelin *fails to understand* about the gospels. The two meanings are related; for it is in Voegelin's criticism of the gospels that we can detect the manner in which he misunderstands them. In order to make this clear, it is necessary to say something about his evaluation and critique; only then will it be possible to raise relevant questions about his approach. After summarizing Voegelin's perspective on the gospels, I introduce the thought of René Girard as possible counterpoint. This is followed by a comparison of Voegelin and Girard with regard to their understanding of the gospel texts. A concluding section offers reflections on Voegelin's evaluation of the gospels.

I realize that there is little to be gained from finding fault with a thinker for not doing what it was never his intention to do in the first place. At times, some of Voegelin's Christian critics succumb to this tendency when they berate him for what they consider to be his failure to satisfy the litmus test of Christian orthodoxy.<sup>3</sup> Apart from the difficulty of defining Christian orthodoxy, these kinds of charges overlook the fact that Voegelin does not consider himself to be a Christian theologian, and that his "concern with

---

<sup>3</sup> Of course, the question as to whether Voegelin's philosophy is adequate as a foundation for Christian theology may be an important one for the theologian to consider. But Voegelin does not see himself as providing such a foundation. For critics who take a dim view as to whether Voegelin's thought is compatible with Christian orthodoxy, see Harold Weatherby, "Myth, Fact, and History: Voegelin on Christianity," and Frederick D. Wilhelmsen, "Eric Voegelin and the Christian Faith," in *Christianity and Political Philosophy* (193-208). For a critical yet sympathetic view, see Michael P. Morrissey, *Consciousness and Transcendence: The Theology of Eric Voegelin*, and William M. Thompson, "Voegelin on Jesus Christ," in *Voegelin and The Theologian: Ten Studies in Interpretation* (178-221).

Christianity has no religious grounds at all."<sup>4</sup> If we accept him at his word, his primary interest is always the social and political situation, and his interest in Christianity must always be understood in that light.

At the same time, there are pertinent questions, emerging from within Voegelin's own understanding of the philosopher's task that can be raised with regard to his handling of gospel material. When analyzing a text, Voegelin insists that an authentic interpretation will be one that does not ignore or suppress any relevant aspect or question. His own analyses are often so persuasive because of the consistency with which he applies this principle of interpretation. Following him as he articulates the meaning of a text, one becomes increasingly aware that all facets of the data have been accounted for; nothing important has been overlooked. If, however, crucial dimensions of the gospels are ignored or downplayed in Voegelin's presentation, then it is quite legitimate to ask why this is the case. Other relevant questions have to do with his concern for order and the limitation of socially disruptive violence. Does his evaluation of the gospel support or undermine the goals he wishes to achieve? In those areas where he is critical of gospel attitudes has he perhaps mistaken friend for foe? To follow this line of inquiry is to address Voegelin not from a perspective extraneous to his thought, but by way of immanent critique.

### Voegelin and the Gospels

Addressing those who wished that he had paid more attention to Christianity, Voegelin responds by noting "the fact of my dealing all the time with problems of 'Christianity' when dealing with aspects of order which also may appear to fall under other topics."<sup>5</sup> While that may be true, it remains the case that he does not give the same sort of concentrated, extended attention to Christianity as he does to Israel or Plato in the early volumes of *Order and History*. If we focus on the gospels, the primary places where Voegelin analyzes these texts are the first volume of the *History of Political Ideas*, and the 1971 essay "The Gospel and Culture."<sup>6</sup>

---

<sup>4</sup>Voegelin, "On Christianity" (letter to Alfred Schutz, January 1, 1953), in *The Philosophy of Order: Essays on History, Consciousness, and Politics* (449-50).

<sup>5</sup>See Ellis Sandoz ed., *Eric Voegelin's Thought: A Critical Appraisal* (201-202).

<sup>6</sup>*History of Political Ideas*, vol. 1, *Hellenism, Rome, and Early Christianity*, vol. 19 of *The Collected Works of Eric Voegelin* (149-63); "The Gospel and Culture," in *The Collected Works of Eric Voegelin*, vol. 12, *Published Essays, 1966-1985* (172-212). Other places where Voegelin discusses the gospels are: *Order and History*, vol. 3, *Plato and Aristotle* (226-27); *Order and History*, vol. 4, *The Ecumenic Age* (13-20); "Wisdom and the Magic

In Voegelin's estimation, the gospel movement and classic philosophy share a common noetic core, "the same consciousness of existence in an In-Between of human-divine participation, and the same experience of divine reality as the center of action in the movement from question to answer." Where the gospel differs from philosophy is in its differentiation of the "unknown God" through Christ. The relationship of the divine Beyond to each individual soul achieves unsurpassed clarity in the gospel movement. This differentiation "is so much the center of the gospel movement that it may be called the gospel itself." To the highest degree, Jesus Christ embodies the truth that the divine Beyond is present in every person ("The Gospel and Culture," 188, 194, 198, 208). The constitutive orientation of each human being to transcendent mystery is nowhere more clearly displayed than in Christianity.

In Voegelin's work up to and including the first three volumes of *Order and History*, he writes as if classic philosophy were incapable of the breakthrough we find in the gospel. Operating within a cultural horizon strongly influenced by cosmological myth, Plato and Aristotle speak of the soul that "reaches out toward divine reality," but "does not meet an answering movement from beyond" (Voegelin, *The New Science of Politics* 77-78). His later writings, however, give a somewhat different explanation for the difference between gospel and philosophy. While the influence of cosmological myth is still acknowledged, its role as an obstacle to an awareness of "the God beyond the gods" is considerably downplayed. Plato's knowledge of the unknown God is now understood as being equal to that of Jesus; and the reason for Plato's reticence in speaking more clearly about this God is his concern to avoid the destabilizing effects that often accompany theophanies.<sup>7</sup>

With this evolution of Voegelin's thought there is a corresponding shift in his assessment of the gospels. As the emphasis on "equivalences" of experience comes to the fore, we find a rejection of the distinction between natural reason and revelation, the disappearance of a distinctly soteriological differentiation, and an increasing tendency to view biblical texts through the lens of classic Greek philosophy. Voegelin reads the gospel in terms of the pulls and counterpulls that he finds delineated in Plato and Aristotle. This

---

of the Extreme," in *The Collected Works of Eric Voegelin*, vol. 12, *Published Essays, 1966-1985* (365-71).

<sup>7</sup>Voegelin, *Conversations with Eric Voegelin* (82, 104-105, 134); *The Ecumenic Age* (231-32); "The Gospel and Culture" (187-88).

is not to say that the movements he describes are absent from the gospel. One can well agree with Voegelin that this dynamism is common to both gospel and philosophy, while at the same time noting ways in which he fails to appreciate the importance of the *dissimilarities* between them. For the most part, when Voegelin discusses an area where gospel and philosophy diverge, noetic insights are used to correct a perceived pneumatic tendency toward imbalance ("The Gospel and Culture," 208-212). Voegelin never loses sight of the fact that the gospels are part of a lineage extending back to the metastatic faith of the Israelite prophets.

It is this insight that informs Voegelin's evaluation of the relationship between the gospel and society. With the advent of the gospel comes a radical desacralization of social and political order: "The Christians were persecuted for a good reason; there was a revolutionary substance in Christianity that made it incompatible with paganism...What made Christianity so dangerous was its uncompromising, radical dedivinization of the world." More compact orders and their symbolizations are threatened by this change, and "a culture in which the sacrality of order, both personal and social, is symbolized by intracosmic gods will not easily give way to the *theotes* of the movement whose victory entails the desacralization of traditional order" (*The New Science of Politics* 100; "The Gospel and Culture" 194). For Voegelin, the dedivinization of order wrought by Christianity is not entirely salutary. And while it is certainly true that he denounces the modern redivinization of order as manifest in ideological movements, it should be noted that he places most of the blame for this development on Christianity. It is the modern, *pneumatically influenced* redivinization of order which draws Voegelin's ire; but he extols those who acknowledge the abiding hold of the primary experience of the cosmos, and thereby avoid the pitfalls of metastasis and gnosticism. Voegelin speaks approvingly of Plato's choice to speak with intentional obscurity about the divine Beyond. The intracosmic gods of earlier myth may need to be expunged, but a new myth, crafted by the philosopher, must recast them in a more beneficent light. In this fashion something of the sacrality of social order can be preserved. While this may mean that the gospel insight of God in man does not emerge; any such loss is more than offset by Plato's preservation of the balance of consciousness. The sacralization of order, when understood in a Platonic sense, does not arouse Voegelin's opposition (*The New Science of Politics* 107; *The Ecumenic Age* 231-32).

It should come as no surprise, then, to find that those areas of the gospel which can least be correlated with philosophy receive scant attention from

Voegelin. In particular, one cannot help but notice how, despite a few references to the passion and sacrificial death of Jesus, there is virtually no attention given to the meaning of the cross. Considering that the Passion narratives constitute the original core of the Christian community's written proclamation, this is striking. However striking, it is not unexpected, given the perspective Voegelin brings to his analysis of these texts. For from the very beginning, the New Testament authors understood that it was the cross that would be the greatest stumbling block to the philosophers.

### **The Theory of René Girard**

The themes of violence and order are also at the heart of the work of René Girard (b. 1923). In what is perhaps his most well known work, *Violence and the Sacred*, he explores the role of violence in the origins of religion and culture. For Girard, humans are beings who are largely constituted by what he refers to as mimetic (or imitative) desire. The primary mode of this desire is not lineal (e.g., "I want that toy.") but triangular ("I see you want that toy; now I do too"). What makes our desire mimetic is that we tend to "desire *according* to the desire of the other." The reason Girard prefers the term "mimesis" to "imitation" is to avoid the connotation associated with the latter term as designating mere copying. Mimesis is more than simply acting as someone else does; it also "involves the less recognizable ways in which we are constituted as human beings by receiving physical being, a sense of being, gestures, memory, language and consciousness." Mimesis evokes desire and desire structures mimesis. Human beings are not primarily individuals who *have* desires, but persons who *are* their desires:

Since the "me" of each one of us is founded by desire, we cannot say that desire is our own, as though it belonged to some preexistent "me." The "me" is radically dependent on the desires whose imitation formed it. This means there is no "real me" at the bottom of it all, when I've scraped away all the things I've learned, all the influences I've undergone. (Alison 12, 30-31)

While there is nothing inherently bad or destructive about mimetic desire, it can easily become so when two or more people desire the same object. Such a situation can rapidly degenerate into violent conflict. The ensuing chaos is brought to an end by the group's selection of an arbitrary victim who is identified as the cause of the present crisis. With the collective murder or expulsion of this scapegoat, peace is (at least temporarily) restored. Social stability is purchased at the expense of the victim. This

mechanism works as long as the perpetrators do not recognize or take responsibility for their role in the violent deed:

The mechanism of the creation and maintenance of social order by means of the expulsion of the arbitrarily chosen victim depends for its success on the blindness of the participants as to what is really going on: they have to believe in the guilt or dangerous nature of the one expelled. (Alison 10)

Religion arises as the "cover story" through which the dispatching of the victim is both justified and hidden from view. It is produced by "the collective transference against a victim who is first reviled and then sacralized" (*The Girard Reader* 174). For Girard, then, the beginnings of religion and culture are inextricably intertwined. Archaic religion is the institution that recalls the founding violence in myth and ritual. It thereby legitimates a particular form of violence as the antidote to the ever-present danger of a relapse into a more primordial chaos:

The famous distinction between "sacred" and "profane" is born as the culture glorifies the decisive violence (sacred) that brought an episode of chaotic violence (profane) to an end... Distinguishing these two forms of violence is always an extremely arbitrary affair, but that does not keep the distinction from having beneficial effects. Religion makes possible these benefits by bestowing sacred status on a socially tolerable form of violence to which the culture can resort as an alternative to greater and more catastrophic violence. (Baillie 6)

Myths play a tremendously important role in religion and culture by disguising the originating violence from which they emerge. To the extent that myths are able to hide from view this collective murder, they often represent a later stage of development beyond the ritualized sacrifice and prohibitions in which the victimage mechanism is more clearly seen. While myths *reflect* the scapegoating mechanism, one rarely finds an explicit *theme* of scapegoating, identifying the innocent victim as such. In Girard's view, this is a point that is often overlooked by those who study myth: "Myths, they would say, are not about scapegoating because they don't talk about it. But that's just the point: they don't talk about it; they disguise their generative center." Scapegoating only works when its victims are understood to be the real cause of the problems besetting the community; the innocence of the victims must remain unacknowledged if scapegoating is to have its desired results:

A scapegoat effect that can be acknowledged as such by the scapegoaters is no longer effective, it is no longer a scapegoat *effect*. The victim must be perceived as truly responsible for the troubles that come to an end when it is collectively put to death.... An arbitrary victim would not reconcile a disturbed community if its members realized they are dupes of a mimetic effect. I must insist on this aspect because it is crucial and often misunderstood. The mythic systems of representation obliterate the scapegoating on which they are founded, and they remain dependent on this obliteration. Scapegoating has never been conceived by anyone as an activity in which he himself participates and may still be participating even as he denounces the scapegoating of others. (*Girard Reader* 14-15, 167)

Since the scapegoating mechanism is usually not explicit in the mythic text, the interpreter must rely on indirect clues, or what Girard calls "stereotypes of persecution." The stereotypes underlying the structure of many mythical accounts of collective violence are: a crisis in which social order is threatened and social distinctions unravel; accusations (often of the most repulsive kind) against victims onto whom are transferred the alleged crimes that have caused the social upheaval; and typical signs of the victim such as being weak, marginal, or foreign. These stereotypes are not always found to be equally present in a given text, and depending on the sophistication of the myth they may be especially well hidden. Girard finds in the Oedipus myth a classic example of this phenomenon:

The Oedipus myth does not tell us that Oedipus is a mimetic scapegoat. Far from disproving my theory, this silence confirms it as long as it is surrounded by the telltale signs of scapegoating as, indeed, it is. The myth reflects the standpoint of the scapegoaters, who really believe their victim to be responsible for the plague in their midst, and they connect that responsibility with anti-natural acts, horrendous transgressions that signify the total destruction of the social order. All the themes of the story suggest we must be dealing with the type of delusion that has always surrounded and still surrounds victimage by mobs on the rampage. In the Middle Ages, for instance, when the Jews were accused of spreading the plague during the period of the Black Death, they were also accused of unnatural crimes à la Oedipus. (*Girard Reader* 15)

While victimage is still very much present in society, Girard notes that the sacrificial means by which earlier societies sustained their social order have become less and less efficacious in bringing about a condition of peace.

As the victimage mechanism loses its effectiveness, we tend to find more, rather than fewer victims; "As in the case of drugs, consumers of sacrifice tend to increase the doses when the effect becomes more difficult to achieve." With the breakdown of religious ritual and prohibition, people no longer have the consolation of being able to trust in the distinction between good (sacred) and bad (profane) violence. When the sacrificial mechanism starts to fail, the previously unquestioned guilt of the victim begins to be challenged. Where the scapegoating mechanism ceases to have its salutary effects there develops, then, a dual movement of escalating violence accompanied by an increasing sympathy for victims. This is precisely the paradox of modernity; a period marked by unparalleled destruction of human life, and an ever-widening concern for history's victims.

According to Girard, the reason for these developments, i.e., the loss of efficacy of the scapegoating mechanism and the concomitant recognition of the innocence of the victim, can be attributed to "the presence of the biblical text in our midst." The Bible tends to side with the victims; and while its earlier strata still contain traces of collective violence, on the whole it is remarkable for its gradual unveiling and rejection of the sacrificial mechanism at the foundation of culture. Once the biblical message is introduced into a culture it begins to subvert the order established on the basis of violence. Taking the story of Joseph in the book of Genesis as an example, Girard points to the violent expulsion of Joseph by his brothers as an act of "vengeful consensus," and observes how "the biblical text rejects that perspective and sees Joseph as an innocent scapegoat, a victim of his brothers' jealousy, the biblical formulation of our mimetic desire." In general, throughout the Bible, "the collective violence that constitutes the hidden infrastructure of all mythology begins to emerge, and it emerges as unjustified or arbitrary" (*Girard Reader* 17).

The gospels, in Girard's view, bring this biblical revelation to its completion. They "denounce the founding violence as an evil that should be renounced," and "portray this violence as the vulgar scapegoat phenomenon that it is, the fruit of mimetic contagion." They differ from myth in that "the same scapegoating that myth misunderstands and therefore reveres as sacred truth, the Gospels understand and denounce as the lie that it really is." This gospel proclamation appears most starkly and definitively in the Passion narratives. There, the biblical recognition of God's siding with the victim reaches its apex. Commenting on the reaction of Jesus' disciples to his crucifixion, Girard notes that:

They saw it as a unique event, a single, unique event in world history. It is indeed unique as revelation but not as a violent event. The earliest followers of Jesus did not make that mistake. They knew, or intuited, that in one sense it was like all other events of victimization "since the foundation of the world." But it was different in that it revealed the meaning of these events going back to the beginnings of humanity: the victimization occurs because of mimetic rivalry, the victim is innocent, and God stands with the victim and restores him or her. (*Girard Reader* 282)

From Girard's perspective, it is one of the great ironies of human history that the Passion narratives, with their radical rejection of scapegoating, have often been interpreted in precisely the opposite sense—as supporting the practice of scapegoating. Because the scapegoating mechanism *appears* in the gospels, many (including most Christians) have concluded that they advocate a sacrificial religion. But if the gospel is to effectively expose the sacrificial mechanism at the heart of culture, it must do so from within, by appearing to be similar: "The event portrayed must indeed be the same or the Gospels would not be able to discredit point by point all the characteristics of mythologies that are also the illusions of the protagonists of the Passion" (Girard, *The Scapegoat* 101). Girard insists that the Passion accounts portray the *non-sacrificial* death of Jesus; that the "Christ of the Gospels dies against sacrifice, and through his death, he reveals its nature and origin by making sacrifice unworkable, at least in the long run, and bringing sacrificial culture to an end" (*The Girard Reader* 18).<sup>8</sup> It is Girard's conviction that one of the unfortunate consequences of the *sacrificial* reading of the gospels is the development of a "Christendom" whose misunderstanding of its own foundational text enables it to operate out of the same sacrificial, scapegoating horizon as every other culture. The non-sacrificial implications of the gospel continue, though, to exercise their influence in our midst—acting as a force of disruption against sacrificial structures and increasing our ability to hear the cries of their victims.

Considering the preeminent role Girard gives to the Bible in his account of culture and society, what might be the role of philosophy in all of this, and what is its relationship to the Jewish/Christian scriptures? While obviously

---

<sup>8</sup>In recent years, Girard has become less insistent about avoiding the use of the word "sacrifice" to refer to the death of Jesus. If understood as the self-giving love exemplified in Jesus' life and death, then "sacrifice" is acceptable; but if taken to mean the kind of ritual sacrifice reflected in myth, then he would still reject its applicability to the gospel.

familiar with the western philosophical tradition, Girard does not deal at great length with any particular philosopher. Apart from some discussion of Heidegger and Derrida, he is most interested in classic Greek philosophy. Like Voegelin, Girard sees the emergence of philosophy as a reaction to a social crisis. However, as one might surmise from what has been said so far, his understanding of philosophy's role in such a crisis is different from that of Voegelin. From Girard's perspective, philosophy arises in response to the deterioration of the sacrificial mechanism as a means to generate and maintain social order. The earliest philosophers understood the increasing failure of scapegoating violence to achieve its desired goals. Their attacks on the poets and on the earlier traditions' mythical depictions of the gods demonstrate their awareness that previous myths are no longer adequate in sustaining culture. But if the myths served to disguise the collective murder at the basis of society, philosophy is but a further development in the obfuscation of this violence. Philosophy represents a new stage in the process of completely eliminating the traces of the scapegoating mechanism. Plato's purification of earlier Greek theology was a noble attempt to remove any trace of mythological violence. The intent behind the "philosopher's myth" is to purge from the tradition any reminders of the gods' role in scapegoating, whether as victims or perpetrators. Plato, through the creation of a new kind of culture, was genuinely trying to protect society from the escalating chaos that accompanies the breakdown of the sacrificial system:

The Platonic stage, as opposed to the preceding one, does not culminate in an actual re-creation of the myth, though it is just as fundamental. Another culture is founded, no longer truly mythological but "rational" and "philosophical," forming the very text of philosophy.

Yet despite his admiration for Plato's "greatness and depth," Girard concludes "Plato, like all Puritans, misses the goal, which is to reveal the mechanism of the victim and the demystification of the representations of persecution" (Girard, *The Scapegoat* 77, 83). On the verge of insight, philosophy loses its nerve and becomes another screen for the violent sacred.

### **Gospel, Philosophy, and Violence**

In their concern for the effects of violence in society and in the methods they employ in order to understand and remedy the problem, Voegelin and Girard are actually quite similar. Both seek to push their analyses back to the experiential origins of social order, both believe there is a great deal to be

learned about our present situation from the study of myth, and both would agree that anyone seeking to address current social and political problems must wrestle with the meaning of Christianity. In all three of these areas, however, they come to significantly different conclusions. In what follows we will look at some specific instances of Voegelin's handling of gospel material, pointing out ways in which Girard's interpretation might complement, develop, or challenge Voegelin's view.

Voegelin's discussion of the prologue to John's Gospel occurs in the introduction to *The Ecumenic Age*. It is preceded by a description of the "tension of consciousness" as it becomes manifest in Plato, Aristotle, and Israel. The tension refers to the difficulties experienced by those whose awareness of a divine reality beyond the cosmos, the "God beyond the gods" comes into conflict with the earlier more compact symbolization of the divine as intracosmic gods. Divine reality is one, but it is experienced in the two modes of the Beginning (the divine as mediated through the structure of the cosmos) and the Beyond (the divine as a movement in the soul). As the nature of the Beyond becomes more clearly differentiated in history, special care must be taken to prevent the intensity of the experience from leading its recipients into believing that they can somehow transcend the limits of existence in the cosmos. Striking the proper balance between the two modes requires the use of two kinds of language—the revelatory language of consciousness and the mythical language of creator-god or Demiurge. Plato's solution to this tension is the creation of a "philosopher's myth," an "*alethinos logos*" that strives to eliminate the less differentiated and dangerously misleading depictions of the Olympian gods contained within the tradition he has inherited, while simultaneously preserving the pre-philosophical insight which recognizes that humans must live within the limits imposed by the structure of the cosmos. Later in the same volume Voegelin praises the "balance of consciousness" practiced by Plato, noting with approval its Anaximandrian pedigree. It may be possible, Voegelin believes, to move beyond the primary experience of the cosmos *in consciousness*, but apart from this, the boundaries set by cosmic order hold firm (Voegelin, *The Ecumenic Age* 10-11, 227-238). Unlike his biblical counterparts, Plato never succumbs to the metastatic or apocalyptic temptation to transfigure or abolish the cosmos. It is within this context; i.e., one determined by the question concerning the "tension of consciousness" and its proper balance, that Voegelin analyzes the gospel of John.

The epiphany of Christ in a culture in which the noetic differentiation has already taken place means that the author of the gospel is the beneficiary

of both noetic and pneumatic differentiations. Given the fact that an especially acute anticipation of the Beyond characterizes the pneumatic differentiation, the question is whether the evangelist will be able to capture the proper balance between Beginning and Beyond. In Voegelin's interpretation of the gospel:

The god who has the word that he is makes all things by speaking it: "All things were made by it; and without it nothing was made that was made." For the creative word was "life," and its life was "the light of man." At this point, the creative word of the cosmogony blends into the presence of "the light that shines in the darkness" of man's existence with such intensity that the darkness cannot overcome it. (*The Ecumenic Age* 13-14)

Because the "oneness of divine reality and its presence in man is experienced with such intensity" by the evangelist, "even an extraordinary linguistic sensitivity may not guard him against using the two languages indiscriminately in his articulation of the two modes of presence." What this indiscriminate use of language means in practice is that the gospel writer "lets the cosmogonic 'word' of creation blend into the revelatory 'word' spoken to man from the Beyond by the 'I am.'" The author of the gospel has been overwhelmed by the presence of divine reality in Christ and has allowed the word of the Beginning to be absorbed by the word of the Beyond. The beginnings of imbalance are already present.

Not unexpectedly, Voegelin indicates the difficulties that inevitably will arise from the evangelist's lack of precaution. By blurring the distinction between the God of the Beyond and the God of the Beginning, the Johannine writer is confronted with the dilemma of a divine reality that both overcomes the world and creates it:

However, since the Christ who in his death is victorious over the cosmos does not care to be glorified into the word that creates it, he must return, beyond creation, to the status of the word in the creative tension "before there was a cosmos" (17:5). (*The Ecumenic Age* 18)

Voegelin is perplexed by this and wonders what the author could mean. Is the evangelist a gnostic who views creation as an evil from which it is necessary to be freed? Voegelin does not think so, "For the Christ sends his disciples into the cosmos, as he has been sent into it, to convert still others to the truth of the word, so that the divine love can become manifest in

them." Nonetheless, a "shadow" has been cast on the cosmos by the author's symbolization, and Voegelin concludes his reflection on the Johannine prologue with the observation that he is "inclined to recognize in the epiphany of Christ the great catalyst that made eschatological consciousness an historical force both in forming and deforming humanity" (*The Ecumenic Age* 18, 29).

As is his tendency when interpreting biblical texts, Voegelin reads the prologue to John within a framework derived from classical philosophy. The apparent "confusion" in John results from the evangelist's inability or unwillingness to distinguish clearly (as Plato did), between the language that articulates the Beginning and that which articulates the Beyond. By comparison, Plato's more careful handling of this distinction enables him to preserve the balance of consciousness in exemplary fashion. But Voegelin's entire discussion assumes that the symbols of the Beginning and the Beyond are, in fact, the "unsurpassably exact expression" of the structure and movement of divine reality, and that the "tension of consciousness" is the problem posed by their relationship. These are the presuppositions he brings to his analysis, and as such they predetermine the way in which he questions the gospel text. Of course, the way in which questions are posed conditions the kind of answers one receives. Voegelin comes to the gospels with noetic questions; but the gospels give biblical answers. He is left with the possibilities of correcting or rejecting these answers; acknowledging areas of agreement while downplaying that which is distinctively biblical; or assimilating the biblical witness to Greek thought by showing how the gospels are asking the very same questions and offering similar answers. All three possibilities appear in Voegelin's work.

Nowhere is this more evident than in the essay "The Gospel and Culture." Some of what Voegelin says there is no doubt true—there are recognizable parallels between the symbolism of classical philosophy and that of the gospels. It would certainly be difficult to maintain that the gospel movement and philosophy have nothing in common. Nor is there anything objectionable about a philosopher analyzing biblical texts from a philosophical perspective in order to discover such areas of commonality. In Voegelin's case, however, the problem arises from his tendency to identify the areas of commonality as constituting the very core of the gospels, and in so doing he overlooks what is distinctive about them.

An example of this can be found in his reflection on the "double meaning of life and death" as it appears in Greek and gospel sources. Voegelin quotes Euripides' saying, "Who knows if to live is to be dead, and to be dead

is to live," and notes how these lines reappear toward the end of Plato's *Gorgias*. He also recalls Socrates' observation in the *Apology*; "I go to die, and you to live. But who goes to the better lot is unknown to anyone but the God." These quotations are then likened to Matthew 16:25, "For whoever would save his life will lose it; and whoever loses his life for my sake will find it." Voegelin then adds that this "universal truth of existence" (discovered by Greek tragedians and philosophers) "had to be linked with a representative death: the dramatic episode of John 12 is the Christian equivalent to the philosopher's *Apology*." John 12 is said to express a "Hellenistic-ecumenic conception of the drama of existence, culminating in the sacrificial death of Christ;" while the appearance of a group of Greeks in the same chapter reflects humankind's readiness "to be represented by the divine sacrifice." Reinforcing the parallel and continuing the approximation of the gospel to Greek thought, the failure of Socrates' daimonion to warn him of impending danger is said to be equivalent to the reflection of Jesus as he faces death: "My soul is troubled now, yet what should I say—Father, save me from this hour? But it was for this that I came to this hour" (*The Ecumenic Age* 180-82).

Apart from Voegelin's understanding of the death of Jesus as a sacrifice, it is his comparison of Socrates and Christ that is most fascinating. He focuses on their non-avoidance of death, but does not stop for a moment to consider the significance of their very different reactions as they come to terms with what is about to happen. This is surprising; especially when the quotation from John states clearly that Jesus was "troubled" at the thought of his death. The term "troubled," of course, is the Johannine equivalent of Christ's agony as recorded in the synoptic tradition. Death, in the biblical tradition, is viewed with horror, since it means separation from all that is good in life, including separation from the God who is the creator of these goods. In his anguish and terror at the thought of what awaits him, Jesus reacts in characteristically biblical fashion. But it is precisely his anguish that highlights the goodness of the life he will lose. Because life as a gift from God is truly valuable, one parts with it only with great sorrow. It is Jesus' willingness to part with this tremendous good for the sake of others that demonstrates the depth of his love. Socrates, by contrast, is dispassionate in the face of death, agnostic as to whether the life he will leave behind is of much value. Contrary to the biblical vision, the philosophical trajectory moving from Socrates to the Stoics tends to view the goods of this life with indifference, if not disdain. Charles Taylor writes of this contrast:

The great difference between Stoic and Christian renunciation is this: for the Stoic, what is renounced is, if rightly renounced, ipso facto not part of the good. For the Christian, what is renounced is thereby affirmed as good... For the Stoic, the loss of health, freedom, life does not effect the integrity of the good... In the Christian perspective, however, the loss is a breach of the integrity of the good. That is why Christianity requires an eschatological perspective of the restoral of that integrity... The contrast has tended to be lost from view. (*The Sources of the Self* 219).

It has certainly been lost from view in Voegelin's work, where a "Hellenistic-ecumenic" interpretation is considered the proper way to explain Jesus' agony as he contemplates his death.

Another place in which Voegelin blurs the distinction between philosophy and gospel is in his discussion of the "Saving Tale" as presented in Plato's myth of Er (the Pamphylian myth of the *Republic* X) and John 12. He notes how:

It would be difficult to find a major difference of function between Plato's Pamphylian tale of the last judgment and John's Last Day...and the saving tale, be it Plato's Pamphylian myth or John's gospel, is not an answer given at random, but must recognizably fit the reality of existence which in the question is presupposed as truly experienced. ("The Gospel and Culture" 182-83)

Without offering a detailed exegesis of the Pamphylian myth, I would argue that it functions quite differently from the text of John 12. In Girardian terms, it is a near perfect example of the manner in which philosophy functions to hide the victimage mechanism that the gospel reveals. Present in the myth are some typical "stereotypes of persecution." There is, first of all, a social crisis. A disruption of the social order provides a backdrop to the myth; remotely, in the crisis confronting Athens of Plato's day, and immediately in that the myth speaks of Er, "Everyman," "who met his death in battle once upon a time." Another stereotype of persecution is reflected in the kinds of crimes attributed to those who are the most severely punished or who choose their fates unwisely. For example, the tyrant Ardiaios suffers terrible tortures, because in addition to being a parricide and fratricide he had done "many other abominable things." More striking is the example of the first man to select his new life by lot. Having been one of those "who had come down out of heaven," and who had previously lived in "a well-ordered community, with some share of virtue which came by habit without

philosophy," he nonetheless chooses foolishly; unaware that he is fated to "devour his own children, amongst other horrible things." And even though it is acknowledged that the luck of the lot has a role to play in this process, the verdict on the unfortunate is announced in a way that reflects one of the primary goals of the philosopher's myth—"The blame is for the chooser; God is blameless" (cited in Rouse ed., 415-20). The victim is guilty; he has no one to blame but himself.<sup>9</sup>

It is difficult then, to understand how the Pamphylian myth can be said to fulfill the same function as the gospel, in which the victim is clearly innocent. In the gospel, God is blameless because God is at one with the victim in exposing the scapegoating mechanism at the basis of culture. In Girard's account, Plato fears the specter of violence at the heart of the myths he has inherited, and he understands the need to revise the manner in which they present the gods; if only from an awareness that gods who commit crimes themselves, "may become the despised and trampled victims of men." If that were to happen, it would have a deleterious effect on the order of society. The gods must not be allowed to become victims, but "unlike the prophets of the Jews and then the gospels, " Plato "cannot imagine that such a victim could be innocent" (*The Scapegoat* 78). Since he does not detect the generative scapegoating mechanism that is at work, he unconsciously tends to perpetuate it by shifting the blame to other victims, whether they be the figures in the Pamphylian myth, the poets of tradition, or the sophists of his day. Contrary to Voegelin's interpretation, the function of the Platonic myth is quite the opposite of John 12, whose purpose is to anticipate what will be made uncomfortably clear in the Passion about the nature of violence. The philosopher's myth hides from view the truth about sacrificial violence. Surely it is no accident that Plato ends the *Republic* by having Socrates say that belief in the saving tale enables one to safely cross the River of Forgetfulness?

---

<sup>9</sup>Through analysis of myths from a wide range of cultures, Girard shows how Chance or lot "embodies all the obvious characteristics of the sacred. Now it deals violently with man, now it showers him with gifts. Indeed, what is more capricious in its favors than Chance, more susceptible to those rapid reversals of temper that are invariably associated with the gods? The sacred nature of Chance is reflected in the practice of lottery" (*Girard Reader* 25). Also, another way in which a highly sophisticated myth like Plato's is able to absolve the gods without attributing guilt to the community or revealing the scapegoat mechanism is by introducing victims "who are guilty of the actions without being intrinsically bad. Because they have not been informed of certain circumstances, they bring about unintentionally the state of affairs required to justify the use of collective violence against them" (*The Scapegoat* 83).

If the differences between the gospel and philosophy as "saving tale" are obscured by making the gospel a functional equivalent to the philosopher's myth, there is also, to a lesser degree, an attempt to turn the philosopher into a savior. Discussing the parable of the Cave, Voegelin says:

If we accept this suffering of being dragged up as a realistic description of the movement, the parable evokes the passion of Socrates who tells it: his being dragged up to the light by God; his suffering the death for the light when he returns to let his fellowmen have their share in it; and his rising from the dead to live as the teller of the saving tale. ("The Gospel and Culture" 184-85)

Even if we allow for the obviously poetic and rhetorical character of this passage, there is still something worrisome here. Life and myth blend uneasily, as Socrates rises from the dead to tell the saving tale. Whether one lives on in myth or in fact would seem to be of little consequence; whether one is beaten, dragged about, and crucified figuratively or literally does not have much bearing on the truth of the "movement."

What does become clear is how much the validity of Voegelin's understanding of the gospel depends upon his being able to avoid dealing with the status of the death and resurrection of Jesus. The gospels could not be more emphatic in claiming that Jesus was unjustly and brutally murdered and that God raised him from the dead. In the view of the disciples, these were events to which they were witnesses, not happenings related in myths. Yet in Voegelin's treatment of the prologue to the fourth gospel there is little or no mention of what was perhaps of greatest importance to the evangelist—the fact that the Word was rejected. When discussing John 12:32, he refers to Jesus being "lifted up" but omits the line that follows: "This statement indicated the sort of death he had to die." To be fair, Voegelin acknowledges that "The God who plays with man as a puppet is not the God who becomes man to gain his life by suffering his death." However, such references are rare, and when they do occur there is never any mention of what for the early Christians was the most salient feature of Jesus' death—its horrible character. Nor do we find Voegelin dealing with the gospel accounts of the resurrection or the post-resurrection appearances of the risen Christ. This may be a good time for a reminder that this line of criticism has nothing to do with whether or not Voegelin's evaluation of the gospel is in line with Christian orthodoxy. Such concerns are not relevant to my purpose here. What *is* relevant though, is what I believe to be Voegelin's repeated tendency to ignore the interpretations that the earliest followers of Jesus gave to the

events that occurred in their midst. The gospels are written in light of Jesus' death and resurrection. Voegelin does not read them this way, and my point would be that this is very much at odds with his own methodological approach, which always strives to avoid imposing any preconceived "grid" on the texts he is considering, and to enter deeply and meditatively into the experiences out of which they emerged. Of course, the question to be considered is why he hesitates to approach the gospels on their own terms.

The clues to an answer are not difficult to find:

The Saving Tale can be differentiated beyond classic philosophy, as it has historically happened through Christ and the gospel, but there is no alternative to the symbolization of the In-Between of existence and its divine Beyond by mythical imagination. ("The Gospel and Culture" 18)

The gospel may represent an advance in differentiation, but the truth about the human condition as life in the metaxy is best captured by the language of myth, especially the philosopher's myth. In his later work Voegelin maintains that Plato was just as aware of the "unknown God" as was Jesus, but Plato deliberately introduces uncertainties into his account of divine reality in order to guard against the destabilizing effects of revelation (Voegelin, *Conversations* 82, 104-105; *Ecumenic Age* 231-32). Given that Voegelin acknowledges the superiority of the gospel differentiation in terms of clarity and intensity, we are left wondering whether he means to suggest that the mark of a superior differentiation such as Plato's is its ability to obscure a potentially disruptive truth.<sup>10</sup>

Unlike myth, the gospel tends toward imbalance, and the fulfillment of the law and the prophets in the person of Jesus "is difficult to distinguish from apocalyptic destruction." Instead we must rely on a Saving Tale that

---

<sup>10</sup>This last observation is prompted by remarks made by Girard in his keynote address at the Colloquium on Violence and Religion (COV&R) given on June 1, 2000 at Boston College. In that address, entitled "Origins in Heidegger: Deconstruction and the Mimetic Theory," Girard spoke of Heidegger's use of the word "aletheia" as meaning both the dispelling of obscurity and concealment. The two meanings are closely related and provide a clue to the relationship with mimetic theory and the scapegoating mechanism. He also observed that the notion of "inauthenticity" found in the early Heidegger, gives way to "darkness" in his later work. In Girard's view, Heidegger is unable to articulate why this obscurity is necessary, because of his incomplete insight into the violent origins of culture. I would argue that Voegelin's approval of Plato's deliberate obfuscation reflects a similarly incomplete insight on Voegelin's part.

preserves the balance of consciousness, albeit through a process of war and struggle:

Life is given as a prize of war. Who wants to save his life in it will lose it. The Saving Tale is not a recipe for the abolition of the *antheikein* (counterpull) in existence but the confirmation of life through death in this war. ("The Gospel and Culture" 188, 209-10)

The "good" violence of myth and philosophy must not be confused with the "bad" violence fostered by the gospel. For Voegelin, the gospels are too important to overlook; at the same time they are at the root of much modern and contemporary revolutionary violence. The gospels must be "tamed" and their violent undertones suppressed. They need to be reinterpreted in a way that brings them into line with the more balanced teaching of the philosopher's myth. By interpreting the gospel texts in this fashion, Voegelin remains blind to another possibility—that the gospels have nothing to do with violence at all.

Here is where Girard's thought offers useful insights. Particularly relevant to our discussion is his understanding of the Johannine logos. Girard recognizes the contribution of Heraclitus in establishing "logos" as a philosophical term meaning "the divine, rational and logical principle according to which the world is organized." He also notes that the appearance of the term in John's gospel has allowed for the development of a "Christian philosophy" in which the two types of logos are brought together; "Greek philosophers can now be taken as precursors of Johannine thought, somewhat like the Jewish prophets." Girard believes, however, that this process has led to the obscuring of the differences between a Greek conception of logos and that of John's gospel (*Things Hidden* 263-64).

In Girard's interpretation, the logos of Heraclitus reflects the religious crisis of his time:

The fifth fragment of Heraclitus quite clearly deals with the decay of sacrificial rites, with their inability to purify what is impure... "In vain do they strive for purification by besmirching themselves with blood, as the man who has bathed in the mire seeks to cleanse himself with mud... In addressing their prayers to images of the gods, they might just as well be speaking to the walls, without seeking to know the true nature of gods or heroes." The difference between blood spilt for ritual and for criminal purposes no longer holds. (*Violence and the Sacred* 43)

Heraclitus' philosophy is an attempt to respond to this crisis. He understood how the apparently random and lawless character of collective violence actually follows patterns that operate without the participants' awareness. His genius was to be able to understand this logos or "logic" of violence, and its structuring force in bringing order from disorder ("Opposition brings concord. Out of discord comes the fairest harmony," Fragment 8).<sup>11</sup> Girard cites Heidegger's definition of the Heraclitean logos as the "violence of the sacred" and observes how "Heidegger recognizes that the Greek Logos is inseparably linked with violence." He explains how the logos of Heraclitus "is the Logos of all cultures to the extent that they are, and will always remain, founded upon unanimous violence." The Heraclitean logos functions much like the aforementioned philosopher's myth does in Plato's writings. Fearful of the violence that may be unleashed when the older myths and rituals cease to perform their magic, a more rational "account" must be provided by the philosopher, a "logos" that will legitimate certain kinds of violence while restraining its excesses. Thus the logos helps to screen society from the disturbing secret at the heart of human culture. Philosophy, as the "last, final refuge of the sacred," is an accomplice in this effort (Girard, *Things Hidden* 265-67).

The difference between the Greek logos and the Christian logos turns on this question of violence. For Girard, this means appreciating the implications of the God revealed in the gospels:

The Gospel of John states that God is love, and the synoptic Gospels make clear that God treats all warring brothers with an equal measure of benevolence. For the God of the Gospels, the categories that emerge from violence and return to it simply do not exist. (*Things Hidden* 269)

If this is an accurate description of God as portrayed in the gospels, and if this kind of love is incompatible with violence, then we would expect to find evidence for this in the evangelist's understanding of the logos. In fact, the author of the gospel repeats three times, within the space of a few lines (John 1: 4-, 10-11), how the logos was *rejected*.

---

<sup>11</sup>See Bailie (241-42); Girard, *Violence and the Sacred* (88). Some of the fragments cited by Girard in defense of this interpretation: "War is both father and king of all: some he has shown forth as gods and others as men, some he has made slaves and others free"(53), and "It should be understood that war is the common condition, that strife is justice, and that all things come to pass through the compulsion of strife" (80).

The Johannine Logos is foreign to any kind of violence; it is therefore forever expelled, an absent Logos that never has had any direct, determining influence over human cultures. These cultures are based on the Heraclitean Logos, the Logos of expulsion, the Logos of violence, which, if it is not recognized can provide the foundation of a culture. The Johannine Logos discloses the truth of violence by having itself expelled. First and foremost, John's Prologue undoubtedly refers to the Passion. But in a more general way, the misrecognition of the Logos and mankind's expulsion of it disclose one of the fundamental principles of human society. (*Things Hidden* 271)

The Johannine logos is most notable for its absence, for its inability to be heard. If the hidden, sacrificial mechanism operative in culture is always at work, shaping the way we think about and act in the world, how could it be otherwise? The logos that constitutes the "world" cannot tolerate the logos of the gospel. But a culture founded on scapegoating violence of which it is unaware does not consciously expel the Christian logos—it rejects it by assimilating it to its own sacrificial consciousness:

Something common to all cultures—something inherent in the way the human mind functions—has always compelled us to misrecognize the true Logos. We have been led to believe that there is only one Logos, and that it is therefore of little importance whether that Logos is credited to the Greeks or the Jews. The same violence always manifests itself, first in the guise of religion, and then fragmented in the discourses of philosophy, aesthetics, psychology and so on.... The Logos which is expelled is impossible to find. Heidegger is absolutely right to state that there has never been any thought in the West but Greek thought, even when the labels were Christian. (Girard, *Things Hidden* 269, 271-73)<sup>12</sup>

In Voegelin we have a particularly keen example of this tendency to allow the Christian logos to be absorbed by the Greek logos. The relative neglect of the Cross and Resurrection in his thought, the reading of the Passion in terms of the Greek-Hellenistic-ecumenic drama of existence, his emphasis on the common noetic core of philosophy and gospel, and his references to the death of Jesus as a divine sacrifice all point in this

---

<sup>12</sup>Girard also notes with approval Heidegger's rejection of the Western tendency to speak of a common Greek/Christian logos. Heidegger, like Girard, maintains that the two *logoi* are quite different, although his reasons for thinking this are not the same as Girard's.

direction. Unlike Girard, Voegelin stands very much within the tradition which emphasizes the common meaning of the Greek and Christian logos, and which sees in the Greek philosophers the precursors of gospel truth. With the development of the notion of "equivalences" in his later thought, the commonality between noetic and pneumatic differentiations is increasingly affirmed. Any divergences simply reflect a "modal difference within the common structure."<sup>13</sup>

Because Voegelin understands the Greek and Christian *logoi* as equivalent, it is not difficult for him to find the presence of violence in both. In his treatment of the Heraclitean logos, Voegelin prefers those meanings that speak of logos as rational, divine intelligibility, but he readily acknowledges the constitutive role of violence in Heraclitus' philosophy of order.<sup>14</sup> With regard to the gospels, Voegelin is already predisposed to associate them with violence, since they are the offspring of the always potentially disordering pneumatic differentiation of consciousness. For Voegelin, violence is to be found in both the Greek and the Christian logos. But because of its pneumatic lineage, Voegelin is far more wary of the violence stemming from the gospel milieu. Here it may be helpful to recall his claim that what distinguishes noetic from pneumatic thinkers is the "balance of consciousness" exhibited by the former. But in what does this "balance" consist? Is it not in fact the ability to discern properly the difference between legitimate and illegitimate violence? The reason why Voegelin looks more favorably upon the classic philosophers than upon pneumatic visionaries is because the philosophers understand *the need to keep violence within its proper limits*. The philosopher's saving tale, with its struggle and death through war, is permeated with the spirit of violence in the service of cultural stability. By contrast, the dangers associated with the gospel are the dangers of a violence that recognizes no limits, a violence always ready to burst forth with "apocalyptic ferocity." By defining the difference between gospel and

---

<sup>13</sup>Voegelin, "Wisdom and the Magic of the Extreme" (366). This tendency to de-emphasize the distinctive qualities of Greek and biblical thought and to view them instead as "ethnic" variants of a common experiential core becomes more and more pronounced in Voegelin's later writings. A particularly clear example of this can be found in "The Meditative Origin of the Philosophical Knowledge of Order," in *The Beginning and the Beyond* (43-51).

<sup>14</sup>Eric Voegelin, *Order and History*, vol. 2, *The World of the Polis* (229-40). I am grateful to William Thompson of Duquesne University for bringing out the connection between "The Gospel and Culture" and Voegelin's treatment of Heraclitus in *The world of the Polis*. Thompson makes this point in his paper "'The Gospel Movement': Pulls and Counterpulls in Voegelin's Interpretation of Christ," presented at the 1997 meeting of the Eric Voegelin Society in Washington, D. C.

philosophy in this fashion, Voegelin does not realize that by introducing violence into the gospel, he is in fact *assimilating* it to the Greek logos. The following observations by Girard, originally directed at Heidegger, are applicable to Voegelin as well:

The illusion that there is difference within the heart of violence is the key to the sacrificial way of thinking.... He wishes to differentiate the two types of Logos, but by inserting violence into both of them, he deprives himself of the means of doing so! He is simply unable to dissolve the old association between the two types of Logos. Since the beginnings of medieval philosophy, they have been assimilated to one another; indeed this assimilation may be the best definition of European philosophy, since it allows philosophy to obscure the Christian text and give the sacrificial reading its full effect. (Girard, *Things Hidden* 266)

While Voegelin identifies rather than differentiates the two logoi (as Heidegger does), he succumbs to the same temptation to identify "a difference within the heart of violence." In doing this, he does not realize that he empties the gospel of the non-violence that is at its core. In Voegelin's treatment of the relationship between logos and violence, there is a twofold movement. Because he comes to the gospels with the belief that the pneumatic differentiation is especially liable to disordering *violence*, he can, with relative ease, establish an *equivalence* between the Christian logos and that of Greek philosophy, since violence is shared by both logoi. If, instead of emphasizing the violence common to both logoi, he highlights the *equivalence* between Greek philosophy and the gospel in terms of their common structure, there is nothing to prevent him from finding *violence* in the Christian logos, since violence is an essential part of the Greek logos to which it is equivalent. An emphasis on common violence makes it easier to establish equivalence; while a focus on equivalence facilitates the assimilation of violence. Yet if Girard is correct, then Voegelin's work is another example of philosophy's role in disguising and legitimizing the sacrificial mechanism at the foundation of culture.

This interpretation is confirmed when one examines Voegelin's comments on the Sermon on the Mount (Matthew 5-7). The Sermon must be read with the knowledge that "the eschatological character of the Gospel is incompatible with any idea of social or economic reorganization of society." Voegelin detects an "eschatological hardness" in the teaching of Jesus, which, while perfectly compatible with the law of love that is to

govern the community of disciples, has sometimes led to a less than compassionate attitude on the part of believers toward unbelievers. At times, this has led to the growth of communities of "saints," who threaten "the civilizational structure that is not based on eschatological expectation but on a compromise with the world." Voegelin further notes that "There is nothing in Hellenic antiquity that can be compared to these peculiar phenomena" (*Hellenism* 158-60).

Turning to the Sermon itself, Voegelin acknowledges its centrality in the teaching of Jesus and calls attention to its eschatological character:

It demands a change of heart and imposes rules of conduct that have their meaning for men who live in the daily expectation of the kingdom of Heaven. It is not a doctrine that can be followed by men who live in a less intense environment, who expect to live out their lives and who wish to make the world livable for their families. Following the doctrine of the sermon to the letter would in each individual case inevitably entail social and economic disaster and probably lead to an early death. (*Hellenism* 161)

Writing several years later, Voegelin comments on the Sermon in the course of a discussion of the relationship between power and persuasion in Plato's philosophy. Plato, he says, is no Christian saint, and in order to institutionalize the philosophical life, Plato is "willing to temper persuasion with a certain amount of compulsion on the less responsive and to cast out the obstreperous by force." Voegelin then introduces a parallel between the Sermon on the Mount and the Church on one hand, and Plato's *Republic* and the *Laws* on the other:

The counsels of the Sermon originate in the spirit of eschatological heroism. If they were followed by the Christian layman to the letter among men as they are, they would be suicidal. The Sermon is addressed to the disciples of the Son of God, to his *mathetai*, much as the *Republic* appeals to the disciples of the son of god Plato.... Since the Sermon is unbearable in its purity, the Church infuses as much of its substance as men are capable of absorbing while living in the world; the mediation of the stark reality of Jesus to the level of human expediency, with a minimum loss of substance, is one of the functions of the Church. (*Plato and Aristotle* 226)

In relation to society, "The rules of the sermon are not a code that can be followed like the Ten Commandments. The radicalism of the demands

precludes their use as a system of social ethics." The influence of the Sermon creates a permanent tension in every society in which it has gained a hold. When social standards fall, the radical challenge of the Sermon summons the members of society to accountability; but "when the swing toward the eschatological demands goes too far," civilizational order is imperiled (Voegelin, *Plato and Aristotle* 226; *Hellenism* 162).

In Voegelin's view, the Sermon on the Mount is not only impractical; it is nearly unlivable. Such an interpretation severs the ethical teaching of the gospel from the rest of its message. This approach to the Sermon, however, fits well within his overall approach to the gospel texts. Reading the gospels from the perspective of classical philosophy, he assimilates them as much as possible to philosophical thought, even if (as I believe) this means obfuscating important differences and omitting anything about the gospels that would seriously challenge his noetic interpretation. Certain aspects of the gospels though, are just so discordant in relation to philosophy that they are unable to be assimilated. In particular, these are the dimensions of the gospel that most starkly reveal the true nature of violence. These discomforting features of the gospel can be either ignored or expelled. In the case of the Cross, Voegelin chooses the way of avoidance; with the Sermon on the Mount he chooses expulsion, by essentially declaring that it cannot be taken seriously as a rule of life for individuals or societies. Voegelin certainly understands that the nonviolence espoused in the Sermon is incompatible with a philosophical perspective that allows for the socially sanctioned violence deemed necessary to preserve order. But as a philosopher of order, his sympathies lie with Plato, Heraclitus, and Anaximander over against the prophets and the gospels.

There is a sense in which Girard would agree with Voegelin in acknowledging the difficulty involved in adhering strictly to a gospel ethic; but he would offer a rather different explanation as to why this is the case. Girard writes:

How can nonviolence become fatal? Clearly it is not so in itself; it is wholly directed toward life and not toward death! How can the rule of the Kingdom come to have mortal consequences? This becomes possible and even necessary because others refuse to accept it... If all men loved their enemies, there would be no more enemies. But if they drop away at the decisive moment, what is going to happen to the one person who does not drop away? For him the word of life will be changed into the word of death... It is absolute fidelity to the principle defined in his own preaching that condemns Jesus. There is no other

cause for his death than the love of one's neighbor lived to the very end, with an infinitely intelligent grasp of the constraints it imposes. (*Girard Reader* 184)

The practice of nonviolence becomes problematic only in a situation where violence is accepted as normal. Nonviolence is inherently healthy and good; it results in death because the truth about violence has not been understood:

Since they do not see that the human community is dominated by violence, people do not understand that the very one of them who is untainted by any violence and has no form of complicity with violence is bound to become the victim. All of them say that the world is evil and violent. (*Girard Reader* 184-85)

If collective violence is actually the unconscious generator of social solidarity and culture, then anyone who tries to break with it will be stigmatized and easily perceived as an ideal victim. Jesus is the victim par excellence because he is the least violent. The violence he suffers as society rids itself of the troublemaker will be understood as the perhaps unfortunate but necessary way of the world: "Can you not see that it is better to have one man die than to have the whole nation destroyed?" (John 11:50). In this sense,

There is nothing unique about the persecution in the story of the Passion. The coalition of all the worldly powers is not unique. The same coalition is found at the origin of all myths. What is astonishing about the Gospels is that the unanimity is not emphasized in order to bow before, or submit to, its verdict as in all mythological, political, and even philosophical texts, but to denounce its total mistake, its perfect example of nontruth. This is what constitutes the unparalleled radicalism of the revelation. (*The Scapegoat* 114)

What is revealed is the true nature of violence; its illusions, methods, and the fact that it is "the enslavement of a pervasive lie." To escape from this lie means to accept the invitation of Jesus to renounce violence in all its forms, including those that have "always seemed to be natural and legitimate." Far from being a utopian vision oblivious to the rules that govern human existence, the gospel message is "completely realistic." The gospel is under no illusion as to the cost involved in following the example of Jesus; but neither does it succumb to the far more prevalent illusion that there can be a violent solution to the problem of violence.

When Voegelin comes to the gospels, he is unable to break through to this insight. He remains within a philosophical horizon in which the Anaximandrian "truth of the process" best conveys the reality of the human condition, whether that truth is expressed in its original compact form or in the more differentiated variants of Heraclitus or Plato. The order of things envisioned by Anaximander is an order of justice founded upon retribution, and however much the philosophers tried to distance themselves from the violence of the archaic sacred, they were not able to do so completely. Plato operates with the conviction that persuasion needs to be supplemented by force. This legacy resonates in Voegelin's thought as well. He is harshly critical of Isaiah's vision of a future in which "swords will be turned to plowshares." As part of his criticism he argues that the prophet has tried the impossible: "to make the leap in being a leap out of existence into a divinely transfigured world beyond the laws of mundane existence." This "will to transform reality into something which by essence it is not is the rebellion against the nature of things as ordained by God" (*Israel and Revelation* 452-53). Strangely, no explanation is given as to what constitutes the "laws of mundane existence," nor are we told the source of the knowledge of the "nature of things as ordained by God." These truths must remain hidden. Voegelin has read his Plato well; philosophy continues to shield our violence from view.

### **Folly to the Gentiles**

In response to the observation that, politically, he seemed to come down on the side of "order and law against all forms of violent excess," Girard had this to say:

All you have to do, apparently, to make that verdict inevitable is to maintain that the victims are real behind the texts that seem to allude to them. Does it inevitably follow that the impeccable revolutionary credentials go to those for whom the victims are not real? This would be a great paradox indeed! There are signs, I am afraid, that this paradox is not merely intertextual. It may well be the major fact of twentieth century life. The ideologies with the greatest power to fascinate the modern mind are also responsible for the greatest massacres in human history, but many intellectuals have been especially reluctant to acknowledge the fact, as if ideology reinforced in them the old capacity not to see that all victims are equally real behind the ideological as well as the mythical text. (*To Double Business Bound* 228)

Apart from the reference to the victim behind the mythical text, this passage could easily have come from an essay by Voegelin. The concern for the victims of violence, the role played by ideologies in blinding those under their influence to the consequences of their actions, and the importance of gaining access to the originating experiences through a careful reading of texts—these are all prominent Voegelinian themes. These similarities are important to note in order to properly identify where the issues of agreement and disagreement lie between the two thinkers. Girard finds ideologists and "activist dreamers" to be just as dangerous as does Voegelin, and it would be a caricature of their thought to view Girard as a "liberal" (in the popular sense) and Voegelin as a "conservative." In fact, Girard's critique of myth as covering over the sacrificial mechanism at work in society and his embrace of the gospel revelation of that mechanism should not lead us to overlook the positive role he assigns to sacrificial rites and the later institutionalized violence of judicial systems in limiting the destructive effects of mimetic violence. Nor can we get at what distinguishes Girard and Voegelin by saying that the former is a Christian thinker in a confessional sense and the latter is not. While it true that Girard identifies himself as a Christian, he, like Voegelin, comes to his appreciation of Christianity's significance as a result of his intellectual pursuits (*Girard Reader* 283-87). The charge that his appreciation of Christianity somehow predetermines his anthropological and philosophical conclusions is no more valid when directed at Girard than it is when directed at Voegelin.

Where the paths of Voegelin and Girard begin to diverge is in their interpretations of the relationship between gospel and culture. Yet even here they would be in substantial agreement on an issue of fundamental importance. Both Voegelin and Girard would view the gospels as undermining social order. They differ significantly, though, in their evaluation of this phenomenon. From Girard's perspective, the gospels subvert the order of society by exposing the violence by which it is sustained. Once the gospel revelation has occurred, it is impossible for the society in which this has taken place to return to its previous ways of legitimating its violence. The truth about violence becomes clear in the death of Jesus:

Violence reveals its own game in such a way that its workings are compromised at their very source; the more it tries to conceal its ridiculous secret from now on, by forcing itself into action, the more it will succeed in revealing itself... We can see why the Passion is found between the preaching of the Kingdom and the Apocalypse... In the long run, it is quite capable of undermining and overturning the

whole cultural order and supplying the secret motive force of all subsequent history. (*Girard Reader* 183)

This is precisely what Girard believes is happening in the contemporary world. Because of the gospel proclamation, the truth about history's victims has been made known, and "victimage patterns, systems of scapegoating will not provide the stable form of culture that they have had in the past." As a result, "all of Western and then world history can be interpreted as a turbulent, chaotic, but constantly accelerating process of devictimization" (*Girard Reader* 183, 209). Unfortunately, the habitual recourse to violence, whether sanctioned or not, does not pass away without a struggle; the less it produces its desired effects the more virulent it becomes. The horrors of the twentieth century can be traced to the realization that "with the founding mechanism absent, the principle of violence that rules humanity will experience a terrifying recrudescence at the point when it enters its agony... This means that the violence, having lost its vitality and bite, will paradoxically be more terrible than before its decline" (*Things Hidden* 195-96). For Girard the gospel produces a double movement within a culture; both a heightened awareness of victims and the violent reaction of the sacrificial system it exposes. At the present moment humanity is confronted with a choice: to opt for a continuation of the system whereby violence is kept within limits through the judicious use of socially acceptable violence, or to adopt the gospel solution. But if the gospel has, in fact, shown the futility of violence, then there is really only one realistic choice:

In a world threatened with total annihilation, sacrificial resources, like fossil fuel, become a nonrenewable commodity. It would be sheer madness to expect from now on that the escalation of mimetic strife will bring back some tolerable order... At the highest level of political power it is already an obvious fact of contemporary life that violence must be renounced, unilaterally if need be, or universal destruction will ensue. The late prophetic and evangelical replacement of all primitive law by the sole renunciation of violence is no longer a utopian or arcadian dream. It is the scientific *sine qua non* of bare survival. ("*To Double Business Bound*" 227)

Voegelin also understands the gospel as being somehow involved in the social upheavals of the contemporary world. But whereas Girard sees the destabilization wrought by the gospel as part of a painful dismantling of the pervasive lie that has governed the world until the gospel's appearance, Voegelin attributes its unsettling effects to the gospel's relative lack of

balance when compared with the truth of existence mediated by philosophy. Voegelin is particularly distressed by the ways in which fanatics and ideologues in modern times have drawn upon the gospel message in order to justify the annihilation of their foes. Hence Voegelin is acutely sensitive to what he sees as the dangerously apocalyptic strain in Christianity.

However, in light of Girard's thesis, what Voegelin has done is to accept a sacrificial reading of Christianity as normative. Girard would join Voegelin in his denunciation of violent sectarians, but Girard would also add that such people misread the gospel. They make use of it in a way that simply perpetuates the expulsion and murder characteristic of the scapegoating process the gospel is meant to supplant. In other words, they fail to perceive that the non-sacrificial death of Jesus reveals the end of all scapegoating. Because Voegelin reads the gospel within a horizon structured by classical philosophy, and because philosophy itself never completely breaks with the sacrificial violence it seeks to limit, he is able to attribute violence to the gospel movement itself. The gospel, just like philosophy, is part of an ongoing "war" between truth and untruth. Sharing a noetic core with philosophy, but less able to control its own violent tendencies, the gospel comes to be viewed as a particularly unstable and explosive variant within the common structure that is the tension of life in the metaxy. While in some sense Voegelin would see the apocalyptic destruction caused by the armies of the "saints" throughout history to be antithetical to the spirit of the gospel, it is equally true that he understands this violence as an outgrowth of tendencies inherent to the gospel movement. Of course this reading is only possible if the gospel message really does have something to do with violence, that it is in fact one more variation of the scapegoating mechanism through which human beings achieve peace at the expense of the victim.

Measured against the "postulate of balance" (*Ecumenic Age* 227-38) exemplified by classical philosophy, the gospel must seem strangely ignorant of the structure of reality. Indicative of this is Voegelin's perplexed and dismissive attitude toward gospel teaching on nonviolence. Nor is this surprising, if we see in the postulate of balance a reflection of philosophy's characteristic rationalization and legitimization of the violence that sustains culture. It is hard to imagine a more forthright expression of this view than the opening paragraph of Voegelin's introduction to his *History of Political Ideas*:

To set up a government is an essay in world creation. Out of a shapeless vastness of conflicting human desires rises a little world of order, a cosmic analogy, a cosmion, leading a precarious life under

the pressure of destructive forces from within and without, and maintaining its existence by the ultimate threat and application of violence against the internal breaker of its law as well as the external aggressor. The application of violence, though, is the ultimate means only of creating and preserving a political order, it is not its ultimate reason: the function proper of order is the creation of a shelter in which man may give to his life a semblance of meaning. (*Hellenism* 225)

What is extraordinary about this passage is how quickly and boldly Voegelin announces the necessity of violence in creating and sustaining order. Equally striking is his nearly complete agreement with Girard with regard to the founding role of violence in culture. But where Voegelin sees a perhaps unfortunate yet inevitable truth about life in the world, Girard detects the falsehood that has dominated human society for too long.

There is, I think, a deep irony in Voegelin's attitude to the gospel; an irony that becomes apparent when his thoughts are compared to those of Nietzsche and Heidegger on these same matters. Both Nietzsche and Heidegger are aware of the violent sacred at the heart of civilization, and both, in varying degrees, believe it necessary to recapture the strength and vitality that was present at the birth of culture. Likewise, for both of them, this insight is accompanied by the knowledge that the biggest obstacle to a recovery of human greatness is the Christian gospel with its concern for the sick and marginalized. This is obvious in Nietzsche, but it is present as well in Heidegger's writings throughout his involvement with National Socialism.<sup>15</sup>

While a case can be made that Voegelin shares with Heidegger and Nietzsche a tendency to give a privileged place to the "Greek beginning," Voegelin is never taken in by their romanticization of the violent sacred, and as a consequence he does not advocate a return to it. Voegelin's contempt for Heidegger is well known, and he recognizes the insidious illusion of Nietzsche's "magic of the extreme." It is, of course, a significant question, as to why Voegelin was able to avoid the paths they took.

Here we must return to the observation made at the start of this essay concerning the motivation behind Voegelin's thought—his concern for victims. I would argue that this is what keeps him from succumbing to the temptations into which a Nietzsche and a Heidegger would fall. It is also what makes his attitude toward the gospels so ironic. Voegelin is sensitive

---

<sup>15</sup>See Martin Heidegger, *Introduction to Metaphysics*.

to the "victim behind the text" because he comes to his work with a sensibility permeated with the gospel's identification with the innocent victim. The irony is that the gospel insight that animates Voegelin's entire philosophical enterprise is the same insight that his philosophical framework leads him to reject. He writes beautifully of the openness to transcendent reality that marks both gospel and philosophy. But he understands transcendence in Platonic terms—as the mystery "beyond" the struggles that are an inescapable part of life in the world. To accept the truth of the Saving Tale is to rise above present travails through a vision of a reality that transcends the structure of the cosmos. There is little sense in Voegelin that the mystery of the "Beyond" that shows forth in the gospels is the God who is understood as being genuinely transcendent because he is revealed as the fullness of a love that is wholly without violence. This is a love that invites and effects the transformation of those who acknowledge and embrace its revelation in the Son of God. To respond to the Son is to live as he did—by living non-violently in the world and working on behalf of its victims.

The gospel's solidarity with victims is inseparable from its rejection of the mechanism that generates victims. Voegelin's philosophical vision does not enable him to see this, so he falls back into a belief that the gospel exposes as false—that violence can actually be the solution to violence. Acutely aware of the excesses of sectarians, gnostics, and "saints," he seems confident that this kind of violence can be readily distinguished from the therapeutic violence used by society to create and preserve order. At the same time he faults the gospels for being unrealistic and naïve. Intellectually, Voegelin's vision extends as far as philosophy can. He tries to accommodate the gospels to that vision, and where they do not fit comfortably they must be bent, squeezed, and cut down to size. For Voegelin the gospels are an inescapable, often brilliant, yet ultimately troublesome presence in the midst of society. By interpreting them philosophically he blunts their effectiveness, and in so doing he undermines his own professed goal of stopping the murder of the innocent. Were he able to see beyond the horizon of philosophy he might recognize in the gospel message his greatest ally. He reads the gospels with philosophical vision, without being fully cognizant that it is the gospels that are behind his philosophizing.

#### WORKS CITED

- Alison, James. 1998. *The Joy of Being Wrong: Original Sin through Easter Eyes*. New York: Crossroad.

- Baillie, Gil. 1997. *Violence Unveiled: Humanity at the Crossroads*. New York: Crossroad.
- Girard, René. 1977. *Violence and the Sacred*. Trans. Patrick Gregory. Baltimore: Johns Hopkins UP.
- . 1978. *"To Double Business Bound": Essays in Mimesis, Literature, and Anthropology*. Baltimore: Johns Hopkins UP.
- . 1986. *The Scapegoat*. Trans. Yvonne Freccero. Baltimore: The Johns Hopkins UP.
- . 1987. *Things Hidden Since the Foundation of the World*. Trans. Stephen Bann and Michael Metteer. Stanford: Stanford UP.
- . 1996. *The Girard Reader*. Ed. James G. Williams. New York: Crossroad.
- Heidegger, Martin. 1959. *Introduction to Metaphysics*. Trans. Ralph Manheim. New Haven: Yale UP.
- Morrissey, Michael P. 1994. *Consciousness and Transcendence: The Theology of Eric Voegelin*. Notre Dame: U Notre Dame P.
- Plato. 1956. *Great Dialogues of Plato*. Trans. W. H. D. Rouse. New York: New American Library.
- Sandoz, Ellis, ed. *Eric Voegelin's Thought: A Critical Appraisal*. Durham, N.C.: Duke UP.
- Taylor, Charles. 1989. *Sources of the Self*. Cambridge, MA: Harvard UP.
- Thompson, William M. 1983. "Voegelin on Jesus Christ." In *Voegelin and the Theologian: Ten Studies in Interpretation*. Ed. John Kirby and William M. Thompson. Lewiston, New York: Edwin Mellen Press.
- Voegelin, Eric. 1952. *The New Science of Politics*. Chicago: U of Chicago P.
- . 1956-1974. *Order and History*. Vol. 1, *Israel and Revelation*; vol. 2, *The World of the Polis*; vol. 3, *Plato and Aristotle*; vol. 4, *The Ecumenic Age*. Baton Rouge: Louisiana State UP.
- . 1980. *Conversations with Eric Voegelin*. Montreal: Thomas More Institute.
- . 1981. "On Christianity" (letter to Alfred Schutz, January 1, 1953). In *The Philosophy of Order: Essays on History, Consciousness, and Politics*. Eds. Peter J. Opitz and Gregor Sebba. Stuttgart: Klett-Cotta.
- . 1984. "Autobiographical Statement at Age 82." In *The Beginning and the Beyond: Papers from the Gadamer and Voegelin Conferences* Ed. Fred Lawrence. Chico, CA: Scholars Press.
- . 1990. "The Gospel and Culture." In *The Collected Works of Eric Voegelin*. Vol. 12, *Published Essays, 1966-1985*. Ed. Ellis Sandoz. Baton Rouge: Louisiana State UP.
- . 1990. "Wisdom and the Magic of the Extreme." In *The Collected Works of Eric Voegelin*. Vol. 12, *Published Essays, 1966-1985*.
- . 1997. *History of Political Ideas*. Vol. 1, *Hellenism, Rome, and Early Christianity*. Vol. 19 of *The Collected Works of Eric Voegelin*. Ed. Athanasios Moulakis. Columbia, MO: U of Missouri P.

- Weatherby, Harold. 1978. "Myth, Fact, and History: Voegelin on Christianity." *Modern Age* 12:144-50.
- Wilhelmsen, Frederick D. 1978. "Eric Voegelin and the Christian Faith." In *Christianity and Political Philosophy*. Ed. Frederick Wilhelmsen. Athens, GA: U of Georgia P.

---

## NOTES ON CONTRIBUTORS

---

*James Alison* is the author of *Knowing Jesus*, *Raising Abel: The Recovery of the Eschatological Imagination*, and *The Joy of Being Wrong: Original Sin through Easter Eyes*.

*Eric Gans* is professor of French Literature at UCLA, the author, among other books, of *Originary Thinking: Elements of Generative Anthropology*, *Signs of Paradox: Irony, Resentment, and Other Mimetic Structures*, and editor of the on-line journal *Anthropoetics*.

*Rosemary Erickson Johnsen* is the author of essays on Edith Wharton, Patrick Hamilton, and Grant Richards, and is completing a book-length project on feminist historical crime fiction.

*Sara Osborne* is a lawyer in Saratoga Springs, NY, specializing in family law.

*John Ranieri* is chair of the Philosophy Department at Seton Hall University and the author of *Eric Voegelin and the Good Society*. He is currently working on relations between mimetic theory and Bernard Lonergan's understanding of bias.

*Bernadette Waterman Ward* is professor of English at the University of Dallas, the author of essays on Matthew Arnold, on John Henry Cardinal Newman, and others. Her book, *The World as Word: Philosophical Theology in the Poetry of Gerard Manley Hopkins*, will appear in the Fall.

*Harald Wydra* is the author of numerous articles in philosophy and political science, which he teaches at the Universität Regensburg.

# COLLOQUIUM ON VIOLENCE & RELIGION

Contagion is the journal of the *COLLOQUIUM ON VIOLENCE AND RELIGION*, an international association of scholars founded in 1990 and dedicated to the exploration, criticism, and development of René Girard's mimetic model of the relationship between violence and religion in the genesis and maintenance of culture. COV&R is concerned with questions of research and application. Scholars from diverse fields and theoretical orientations are invited to participate in its conferences and publications. Membership includes subscriptions to *CONTAGION* and to the organization's biannual Bulletin which contains recent bibliography, book reviews, and information on the annual conference as well as on relevant satellite sessions in conferences of diverse disciplines.

To join in the United States, please remit check for \$40.00 (\$20.00 for matriculated students), payable to COV&R, to:

*Julie Shinnick, Treasurer*  
10616 Mellow Meadows, #27A  
Austin, Texas 78750

European colleagues please send eurocheque in Austrian Schillings, or an International Deposit Money Order/Mandat De Versement International, to

COV&R, c/o Institut für Dogmatik,  
Universitätsstrasse 4,  
A-6020 Innsbruck, Austria,  
Konto Nr.: 93.012.689  
(Österreichische Postsparkasse BLZ  
60.000).

COV&R President:  
*Diana Culbertson,*  
Kent State University

Treasurer:  
*Julie Shinnick,*  
10616 Mellow Meadows, #27A  
Austin, Texas 78750

Executive Secretary:  
*Sandor Goohart,*  
Purdue University

Bulletin Editor:  
*Johan Elsen,*  
Lindenlaan 19  
B-8700 Tielt  
Belgium



---

LOYOLA  
UNIVERSITY  
CHICAGO

Department of Modern Languages and Literatures  
Loyola University Chicago  
6525 North Sheridan Avenue  
Chicago, IL 60626  
USA