

**NOTION OF VIOLENCE IN CONTEMPORARY POLITICAL  
PHILOSOPHY**



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**YEDITEPE UNIVERSITY  
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## PLAGIARISM

I hereby declare that all information in this document has been obtained and presented in accordance with academic rules and ethical conduct. I also declare that, as required by these rules and conduct, I have fully cited and referenced all material and results that are not original to this work.

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## ABSTRACT

One of the key concepts of political philosophy, violence has been approached within contexts of excessive use of power or violation of rights throughout the history of philosophy. Philosophers, who pondered upon violence, had to deal with uncertainties and dilemmas they encountered, regardless of the context that determined their perspectives. However, the relational ground as yet another context has been overlooked and not benefited as a means of conceptualization. The purpose of this dissertation is to approach violence in the political sphere with respect to its relational dimension and conceptualize it as such. To that end, texts from prominent political thinkers such as Hannah Arendt, Walter Benjamin, Claude Lefort and Giorgio Agamben are to be reread and dimensions, where violence in the political sphere is visible, will be evaluated from a new perspective through the lens of their work. Concepts in philosophy such as Zoe, Bios, private sphere, political sphere and biopolitics, as well as Giorgio Agamben's notions of homo sacer and bare life, comprise the conceptual framework of this dissertation.

*Key Words: Violence, political violence, democracy, totalitarianism, terror, law, constitution, homo sacer, zoe, bios*

## ÖZET

Siyaset felsefesinin temel kavramlarından biri olan şiddet, felsefe tarihi boyunca ya aşırı güç ya da hak ihlali bağlamında ele alınmıştır. Şiddet üzerine düşünen filozoflar bakış açılarını belirleyen bağlam hangisi olursa olsun karşılıklarına çıkan belirsizlik ve ikilemlerle uğraşmak zorunda kalmışlardır. Ancak bir başka bağlam olarak ilişkisel düzlemgöz ardı edilmiş ve kavramsallaştırma aracı olarak kullanılmamıştır. Bu tezin amacı politik alanda şiddeti ilişkisel boyutuyla ele alarak kavramsallaştırmaya çalışmak olacaktır. Bu amaçla önde gelen siyaset düşünürlerinden Hannah Arendt, Walter Benjamin, Claude Lefort ve Giorgio Agamben'in metinlerinin yeniden okuması yapılacak ve onların çalışmaları aracılığıyla politik alanda şiddetin görünür olduğu boyutlar yeni bakış açısıyla değerlendirilmeye çalışılacaktır. Felsefenin, Zoe, Bios, özel alan, siyasal alan ve biyosiyaset kavramları ile beraber Giorgio Agamben'in *kutsal insan* ve *çıplak hayat* kavramları bu tezin kavramsal çerçevesini oluşturmaktadır.

*Key Words: Violence, political violence, democracy, totalitarianism, terror, law, constitution, homo sacer, zoe, bios*

DEDICATION



To my father Ahmet Asım.

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## 1. CHAPTER 1: INTRODUCTION

The notion of violence is approached in different areas and within different contexts throughout the history of philosophy. From a historical point of view, the definition of violence appears to be shaped by the ideational and socio-economic characteristics of the period. Situations, which were once thought to be natural, were called “violence”, while the boundaries of the definition are constantly updated and changed. Forming a basis for the method and grounding used to conceptualize violence to that end, the context may shrink our perspectives, instead of enhancing it. The subject matter of the examination, which is the concept of violence, is to be limited to the notions of political philosophy. Violence has been addressed in various contexts until today such as the relation of means – end, the issue of law and the beginning, the ground of subject – object or the axis shift between Democracy and Totalitarianism, becoming a topic of discussion often in relation with concepts such as freedom, willpower and bio-politics. The method of this study is to reread prominent political philosophy studies with the purpose of analyzing whether or not the revealing of different aspects of violence and a new perspective are possible. To that end, the manner, in which violence is conceptualized by the two main streams during the history of Political Philosophy, is to be examined and the works of Hannah Arendt and Walter Benjamin, the two prominent philosophers of these two branches, are to be reviewed. In this context, the guiding principles for the study are the concepts of power and law. The concept of Revolution, on the other hand, which represents the intersection between the works of these two philosophers, is to be probed at length through the works of Claude Lefort. Prominent notions encountered upon reading his works are Democracy, Totalitarianism and Theology. Lefort questions the possibility of a third perspective, aside from the two main streams, but could not reach a new

conceptualization that is different. The philosopher, who managed it, Giorgio Agamben, as well as his concepts of Exception and Homo Sacer, are the focal points of the dissertation.

In this context, the starting point of the study is to present a brief etymology of the concept of violence and the review of the two main streams in question.

Allan Back investigates fundamental terminology of 'violence' in his essay of "Thinking Clearly About Violence" and tries to clarify basic concepts of philosophical debates on the concept of violence. He aims to maintain a strong approach to define violence and uses the terms of "aggression" and "forcefulness". His initial need is to determine a criteria which can be applied to those terms:

How to tell, if we have no criteria for what constitutes violent or aggressive behaviour? It is ironic that a large literature has arisen recently in and across various social sciences on the meaning of 'aggression' and 'violence' independently of much reference to or involvement by philosophers.

It is ironic since the analysis of the conception of violence and its connections to related conceptions of seems to fall squarely in the provenance of philosophy.

Moreover, the current lack of philosophers becomes even more puzzling given the considerable philosophical interest on this topic during the sixties and seventies – incited by the civil rights movements and the Vietnam War. (Back, 2004:219)

Back underlines that original concept of "violence" is related to "force" and he cites such terms as 'violent wind' and 'violent passion'. (Back, 2004:220) These terms indicate a basic physical relation which is also amoral. He calls it as "forcefulness".

Let me then call this basic, amoral sense, of an agent using force while doing something with more force, effort or effect than usual 'forceful'. Inanimate as well as animate objects can act 'forcefully' in this sense.(Back, 2004:220)

As he relates the term of violence with physics he also underlines that the term of "power" would be secondary and he quotes from Rubin Gotesky:

'Power' then will be 'the amount or degree of force in operation', and 'forcefulness' the 'extensive and radical changes within in a short interval of time produced by given forces in the qualities or structures of anything'. (Back, 2004:220)

Back highlights that term of "aggression" is rooted on "approach" and "attack" and it chooses its object. Which is a purposive behaviour and an intentional aspect. Hence he calls aggression as an "intentional forceful action". (Back, 2004:220) He also refers to E.O.Wilson's definition of aggression which attributes to freedom. Wilson defines aggression as "a physical threat or threat of action by one individual that reduces the freedom or genetic fitness of another". (Back, 2004:221)

All those definitions which have been made so far are on physical or biological grounds. Back also emphasises that these definitions are amoral and it is also possible to make an amoral definition of violence.

However, being morally wrong differs from being in the moral sphere. So as not to beg any questions, it would be prudent to have two different conceptions of violence, a basic one having a component of moral responsibility and a pejorative one having that component as well as carrying the negative connotation of being wrong.(Back,2004:223)

In this context he grounds his definition of "violence" on moral side with regards to the concept of "will":

Accordingly, and action is violent in this basic sense when it is aggressive and is chosen. Violence, then, contains a moral component associated with choosing to engage in actions that harm another person and attempting to force that person to act as you want. (Back, 2004:224)

In the guidance of fundamental concepts related to the concept of “violence” which Back has delivered, Vittorio Bufacchi offers a much more detailed and systematic study of those concepts throughout the history of philosophy. Bufacchi, in his article named “The Concepts of Violence”, examines how the concept of violence is approached throughout the history of philosophy. The word violence is derived from ‘violentia’ in Latin. It refers to excessive and uncontrolled power. Consequent to the use of uncontrolled power, a new order or violation of rights emerge; thus, the word violence is often used synonymously with the violation of rights. The word ‘violation’, on the other hand, has its roots in ‘violare’ in Latin, which means to ‘violate the agreement’. The generally accepted definition of violence includes a violation of rights, as the result of an action that involves physical force; still, there are other violations of rights that occur without the use of physical force (Bufacchi, 2005:194).

Many of the modern theoreticians conceptualize violence over the connotation of the violation of rights, while Bufacchi objects such a point of view. When we talk about violation of rights, we must consider three different concepts of rights: The individual’s fundamental rights on the individual’s body or regarding the individual’s dignity; individual rights and human rights. However, there are instances of violence, where rights are not violated. The violence of socio-economic rights, other than the right to live, the right for safety or freedoms, can be defined as violence. Another point is that the more comprehensive the definition of human rights is, the wider the scope of the actions, which can be defined as violence becoming. Almost all actions may be considered violations of the rights of another (Bufacchi, 2005:196).

Bufacchi underlines that violence has been conceptualized throughout the history of philosophy over two main streams. One is the “minimal” approach that describes violence as the use of excessive power. The other one is the “comprehensive” approach that describes violence as the violation.

The advantage of the minimal approach is its definition of violence as the excessive or destructive power, which allows us to provide a clear answer to the question of the essence of the action of violence itself. In this context, it becomes difficult to define each bad or immoral action as ‘violence’. It limits the definition of violence as the use of power to deliberately injure someone or hurt something. However, it still lacks psychological violence. The second problematic of the minimal approach is that it overlooks structural or corporate violence. On the other hand, structural violence causes unequal use of power in a society, despite the lack of a human being, who directly aims another person, therefore paving the way for unequal living conditions as well. According to Galtung, structural violence is more lethal and destructive than direct power (Bufacchi, 2005:197).

Bufacchi states that the issue with the definition of comprehensive violence is its ambiguity. For instance, when Audi does not describe all psychological abuse as violence and only takes “the most powerful” into consideration, the definition itself becomes ambiguous and even subjective. Or when Galtung names “everything that may influence one’s perception” as violence, the definition becomes so wide that violence loses its meaning as a concept. That is because the concept is hence related to an ontological and investigatable foundation (Bufacchi, 2005:198).

According to Bufacchi, emphasis on violence, as one considers politics, is inevitable and necessary, as the concept of violence itself remains incomprehensible or misunderstood as it is. Just like Sorel said in 1961, “the issue of violence is still ambiguous”. However, the empirical pool of cases we have today to examine violence is much wider. Despite our

experiences in many forms of violence such as terrorism, civil disobedience, genocide, wars and revolutions, the ideological and methodological gap between these two conceptualizations of violence that are emphasized in philosophical studies are so deep that Bufacchi mentions a curiosity as to why there are two separate concepts instead of just one (Bufacchi, 2005:199).

Perhaps, in answer to Bufacchi's question, we have another and third possibility, when we conceptualize violence. Violence has been covered in limited conceptualizations throughout the history of philosophy, because the private sphere of individuals and political sphere are considered to be two different spheres with clearly defined boundaries and the entire political philosophy was designed on this sharp distinction. While the private sphere falls distant to being a topic of study in philosophy, violence in the political sphere, as simply revealed by Bufacchi, could not have been saved from its ambiguity, lacking a clear conceptualization. Perhaps the issue itself and therefore the solution lie at the very foundations. Assuming that the human being is a two dimensional being, this fundamental view claims that the human being carries a plethora of different identities. For example, the individual, who wishes to be included in the political sphere, leaves all identities that belong to the private sphere only and goes down to the agora, closing the door of the individual's home. In the agora, it is only possible to act with one's political identity. So much so that women, who were deemed to belong to the private sphere, could not have been actors in the political sphere for centuries due to this reason. However, the human being is multidimensional and his or her identity, in this sense, is fluid between these dimensions. Relations ensure this fluidity. All actions of one, whether they are social, political or economic, are determined and described within a network of relations. Therefore, we cannot talk about moral, political and economic values that remain fixed for centuries. Scientific knowledge owes its advance partially to this change and fluidity and the technological needs, revealed by the ongoing relations. Even though the forms of relations change, the relation

itself is always there. All dimensions of the human, as well as all the spheres he or she has or to which he or she belongs, constantly influence and change one another. Violence, with its most primal dimension, is a form of relation humans establish with nature, household, clan, village or tribe. It is a means that has been in use by human beings within the struggle for survival, since the moment human beings started to exist. Throughout history, a form of establishing a relation existed in all spheres that included human beings. Politics is one of these spheres.



## **2. CHAPTER 2: MINIMAL APPROACH – HANNAH ARENDT**

### **2.1. Violence in the Context of Means to an End**

One of the thinkers to be mentioned in minimal approach regarding violence is Hannah Arendt. She emphasizes violence in two categories in her work “On Violence” – the means and the end. Despite violence being a notion that is experienced in various forms in the political sphere, much like the other spheres of life, it has rarely been the topic of examination in political philosophy. This may be because it is in conflict with what politics promise or perhaps it is encountered in many different appearances with ambiguous legitimacy and boundaries within the political sphere... This is exactly why it serves a significant purpose: it renders the boundaries of the political sphere visible. In this context, it has been one of the key topics of research for Hannah Arendt. Arendt approaches violence in the political sphere over wars and revolutions. Accordingly, wars and revolutions are the phenomena, in which violence in the political sphere is the most visible. Violence has two aspects in the political sphere, which is different than power and force: It is a means for politics and the essence of the action, upon which it relies, is dependent on the category of means – ends. Due to these two aspects, use of the means of violence must always be justified by the ends. Arendt also points out the issue this need brings along, when the political sphere is in question: Elements of ambiguity and arbitrariness violent actions involve. When it is directed towards its object, violence, regardless of the ends, becomes unpredictable. This factor of unpredictability has become so evident with the technological advances of today that the war itself lost its referee role in the political sphere in the 21<sup>st</sup> century (Arendt, 2016:10).

A part of the daily life and a natural means of power for the state, violence is inured and often entirely ignored, whereas Arendt approaches violence as “a marginal phenomenon”, on the contrary. Accordingly, definitions of violence in Renan or Engels are not in good standing anymore in the 20<sup>th</sup> century. Emerged with the developing technology, the threat of nuclear wars reversed the relation between power and violence within the scope of international relations; however, the same cannot be said for internal politics:

Even though violence has become a vague and indefinite apparatus in international relations, its appeal and esteem in internal politics have increased; this is especially valid with respect to revolutions. (Arendt, 2016:17)

Discussing the concept of violence in the political sphere, Arendt underlines the phenomenon of “Revolution” rather than wars. According to Arendt, revolutions help us reveal myriad facts with regards to understanding the whatness of violence and in this context, the boundaries of the political sphere. Considering violence as an underlying reason of revolutions would be erroneous, according to Arendt. Revolutions are not consequences of violence; but violence emerges, consequent to revolutions. Just like the essence of the sovereignty of the state, not lying in the means of violence it possesses...

The emergence of a new society occurred after vicious explosions; but they did not represent causes for the emergence of the society. Marx claims that they are like labor pains before birth, but the pain is not the reason of the birth. Moving on in the same line, he claims that the state is an apparatus of violence, controlled by the ruling class. However, the de facto power of the ruling class does not consist of violence nor it is based on violence. What defines the de facto power of the ruling class is the role it plays within the society; or in simpler terms, the role in the production process. (Arendt, 2016:17)

Arendt highlights that when the revolution is in question, consequences are viewed as if they are causes. However, revolutions are not merely ‘incidents of violence’. They consist of a set of facts, which are the subject of a separate philosophical study with such complicated causes that cannot be simplified as such. Violence is a means of destruction at its core. All violent actions from the simplest to the most complicated, from the mildest to the most brutal, cause destruction and loss for their objects. This always leaves a void behind. A void that is filled rarely with forgiveness and often with revenge...

## **2.2. Antiviolence – New Left**

The extreme events of the 20<sup>th</sup> century have heavily influenced the way, in which violence is covered, in the political sphere. In this sense, Arendt thinks that there is a direct link between the means of violence, which emerged as a result of the technological progress, and the New Left. The natural reaction of the generation that grew up in the shadow of violent events such as the atomic bomb and concentration camps has been “antiviolence”. They supported non-violent politics without questioning it, while they opposed all forms of violence (Arendt, 2016:22). According to Arendt, who uses the example of student movements, violence is doomed to be limited to theories and rhetorics, as long as it does not overlap with a tangible interest (Arendt, 2016:28). For example, the antiviolence of the students’ movements change along with “Black Power”. Different than the others, Black Power was supported by the majority of the public and not only by those in universities. From this perspective, Arendt considers lack of power to be similar to the labor movement from a generation ago. Within the context of the labor movement, Arendt criticizes Marx with reference to the idea of “participatory democracy”, set forth by the New Left. The concept of participatory democracy, for Arendt, is founded on the council system in the revolutionary tradition; still, Marx and Lenin never aimed for a public participation in the sense, in which we use the same concept.

On the contrary, both of them aimed for a society, where public action and participation in public affairs would ‘fade away’ along with the state. They would not be necessary anymore. (Arendt, 2016:34)

Similarly, representative democracies today cause the public sphere to shrink. In representative democracies, which can be called one of the most obvious characteristics of mass society, politics has become a part of everyday conversations, which is different than the case with participatory democracy, and still, acting in the political sphere became a much more limited possibility for everyday people.

As Arendt analyzes the New Left, she claims that it remains objective and away from concerns of interest, which is different than the revolutionary movement. However, the interests of the working class are above all for Marx.

Still, even such leaders had to support the grounded and nonspeculative interests of the working class first and this, as it is, was enough to provide them a solid ground outside of the society. Now that is what the contemporary rebels have been missing since the beginning and despite their helpless search for allies outside of the universities. (Arendt, 2016:35)

### **2.3. Political Power and Violence**

In order for an idea or ideology that arises in the political sphere to attract wide support from the society, it must offer solutions and promises for practical living. If it fails to do so, it cannot be anything more than a topic of theoretical discussion. In this case, we cannot overlook the notion of political power, as we examine violence in the political sphere. Touching upon the ideas of various thinkers such as Mills and Max Weber about this subject, Arendt states that almost all thinkers agree on one thing, regardless of left or right views: “Violence is the most obtrusive manifestation of power.” (Arendt, 2016:45).

The agreement in question leads Arendt back to Marx again:

This agreement is quite a peculiar one. That is because the equalization of political power and the 'organization of violence' can only make sense if Marx's assumption that the state is a means of domination, controlled by the ruling class, is supported. (Arendt, 2016:46)

This point of view describes political structures and oppressive superstructures. That is why Arendt makes room for opposing views such as those of Jouvenel and asks a very important question: "*Does the elimination of war between states also bring an end for political power?*" (Arendt, 2016:46)

The answer to this question may be yes, if concepts of state and political power are considered within contexts of means of violence and sovereignty. However, real experiences have proven otherwise. That is why Arendt makes a note on the whatness of power. Moving on from the definition of power of Voltaire and Max Weber, Arendt objects the views that explain power over actions of commanding and submitting:

If the essence of the power is the effectiveness of the command, then there is no power that is more powerful than the one that grows in the barrel of a gun. In that case, it does not make sense to say this either: 'An order, given by a police officer, is different than the one, given by a man, who holds up a gun.' (Arendt, 2016:47)

Considering the legitimacy, the difference between two men, who both have a gun, reminds us that a much deeper concept of power must be noted. In order to understand this concept, which exceeds the contexts of means of violence, Arendt examines the relation between strength and power. Thinkers like Passerin d'Entreves define power as "corporate strength". According to Arendt, the basis of the agreement on the definition of power involves

the nation state tradition of Europe and the notion of “absolute power”. In this context, the debate on the concept of sovereignty resurfaces:

These definitions also coincide with the terms, which have been in use since ancient Greece, to define forms of government, which refers to human administration on humans – the sovereignty of one or more people in monarchy or oligarchy, aristocracy and the sovereignty of the best or the majority in democracy. Today, on the other hand, we must note the final and perhaps the most powerful form of such sovereignty: the sovereignty of bureaucracy or the system of complicated bureaus, where no one, not a single person or the best person, a few persons or many persons can be held accountable and the best can be named the sovereignty of Nobody. (Arendt, 2016:48).

Sovereignty is only one of the dimensions the concept of power contains. Sovereignty, by itself, is not enough for us to grasp power. Finally, “the imperative conception of law”, derived from the Jewish – Christian tradition and the concept of power, based on sovereignty, settle on the foundation of this definition and opinions regarding human nature, as put forth by John Stuart Mills, are articulated on top of them:

Voluntary submission to tyranny does not always stem from ‘excessive passivity’. On the contrary, a severe unwillingness for submission is often accompanied by similarly severe domination and unwillingness to command. (Arendt, 2016:50)

Arendt posits that the master would never leave his household, if there was nothing sweeter than to command or manage others. Furthermore, examples throughout history from Greece and Rome show us that power understandings are not based on order-submission relations and are not identified with command or sovereignty. Revolutionaries of the 17<sup>th</sup>

century, on the other hand, mention concepts such as consent to laws and consensus, instead of submission to the law. Arendt defines this phenomenon as “power depending upon people’s support”:

What energizes the institutions of a country is the support of its people. This support does not carry any other meaning than the continuity of the consensus, which embodies laws above all else. (Arendt, 2016:51)

It is also possible to encounter other thinkers, who, similar to Arendt, object such approaches that divide society into two as governor and governed and ground power with sovereignty. For instance, Marcel Gauchet states that the concept of state emerged as a result of the distinction societies made within themselves, instead of an external distinction, in terms of their founding principles, legitimacies and sources of their meanings or in other words, their groundings (Gauchet, 2013:231). Similarly, Arendt presumes that power is based on an immanence, rather than a distinction in the society, and draws attention to the link between numbers and power:

Power is always in need of numbers; however, violence is based on means and can manage without the strength of numbers until a point... The extreme form of power is All against One. The extreme form of violence, on the other hand, is One against All and this is not possible without means of violence. (Arendt, 2016:52).

While there is a negative correlation between power and violence, distinguishing it from other terms such as force, strength, authority and violence, is necessary for the advancement of research, but nonetheless difficult. Within the political spheres, these concepts are often intertwined and are used interchangeably because of the historical belief

that the most important political question is the question of who is governing whom. Still, political notions shall not be this simplified, according to Arendt:

Only when political matters are not reduced to matters of administration or dominance anymore, original data in the sphere of human affairs are to start emerging within their authentic varieties or better yet, manifesting themselves.  
(Arendt, 2016:54)

According to Arendt, attempting to explain the political sphere with actions such as commanding or submitting will only hinder us from seeing various and meaningful perspective like Gauchet and from emphasizing each and every experience of power within its own set of conditions.

#### **2.4. The Issue of the Legitimacy of the End**

No political power can survive solely with means of violence and without public support. Violence must be legitimized as a means of power by the ends. For Arendt, “nothing that needs to be legitimized with something else can be the essence of anything else.” (Arendt, 2016:2). According to Arendt, power is the condition per se, ensuring that we, as a society, think in terms of means-ends and act with that in mind (Arendt, 2016:62). The foundation that provides legitimacy to power, on the other hand, is the phenomenon of the beginning. All political powers draw their legitimacy from the very first moment of their beginning, when people come together. The notion that causes political power to lose its legitimacy is the power holders, acting to serve a future purpose. If such actions utilize violence as a means and violence, in the same way, is directed to serve an end in future, legitimacy will be lost. In the event of self-defense, the aim of violence is not questioned; however, violence that arises to serve a purpose in the future, will not be justified in the same way (Arendt, 2016:63).

After all, when the relation between violence and political power is in question, it can be said that one cannot exist, where the other has the absolute rule. Terror emerges at the point, where these two are against each other. Violence may not produce power, but can very well destroy it. Power, on the other hand, may utilize violence as a means but it always has to legitimize the ends. At the same time, violence and political power must never be against one another. Arendt describes this phenomenon as “denegation”:

In this case, opposites would not demolish each other, but turn into each other gradually; that is because contradictions do not cripple development, on the contrary, allow it. (Arendt, 2016:68).

The concept of political power in the traditional sense is equalized with violence and is grounded on the argument that ‘power’, similar to everything that is natural, has the will to grow and spread. Arendt finds the biological grounding of political power and violence dangerous. Justifying violence with creation or using organic similes such as ‘diseased society’ and speaking in biological terms instead of political ones can be quite misleading:

Destruction and creation in the nature dynasty represent the two aspects of the natural process; so much so that the collective action of violence can appear as the natural prerequisite for the collective living of humanity, entirely separate from its intrinsic appeal; much like the natural prerequisites of violent deaths for the continuation of the kind in the animal kingdom and the continuation of struggle and life itself... (Arendt, 2016:89)

The biological approach is most dangerous, when racism is in question, because no properties regarding race can be changed by the use of persuasion or force (Arendt, 2016:89). The danger that Arendt wishes to point out is related to the need of legitimization of violence. One of the reasons underlying the emergence of racist ideologies is the need of such

legitimization. However, violence loses its rationality, as soon as it is converted into actions. That is why it must pursue short term goals only.

Instrumental by its nature, violence is only rational to the extent, to which it is effective in reaching the goals with which it is expected to justify itself. And when we take action, we can never know the ultimate consequence of what we did for sure; violence, then, can only remain rational, if it pursues short term goals. Violence cannot support causes; it can support neither history nor revolution, neither progress nor reactivism. However, it can dramatize troubles and bring them onto the public agenda. (Arendt, 2016:93)

Due to this function, violence can be an instrument of reforms, rather than revolutions, according to Arendt. Corporative power is often manifested in the form of authority or political power is intertwined with violence (Arendt, 2016:57). Approached as the government or a public institution, political power utilizes violence as a means, when its existence is under threat:

Therefore, violence actually appears to be a prerequisite of political power and political power appears to be nothing more than a veil – a pair of velvet gloves that obscure the iron fist or eventually is revealed to belong to a paper tiger. However, upon close inspection, such conceptualization loses a lot from its credibility. For the sake of our purposes, the gap between theory and reality arises in the phenomenon of revolution. (Arendt, 2016:57-58)

### **3. CHAPTER 3: COMPREHENSIVE APPROACH – WALTER BENJAMIN**

#### **3.1. The Concept of Violence in Contexts of Rights and Justice**

One of the thinkers, who discusses the link between the subsistence of power, legitimacy of the constituent laws and violence, is Walter Benjamin. With reference to the method that approaches the conceptualization of violence in the means-end category, Benjamin moves on to the next step and examines violence with respect to “legitimacy”. In his article called “Critique of Violence”, he aims to criticize violence in the contexts of law and justice. The main subject of research for Walter Benjamin is shaped around the question of “Can violence, with its instrumentalist nature, be a moral instrument, even when principally just ends are in question?”

According to Benjamin, a criterion to be applied only for instruments, regardless of the ends, is needed to answer the aforementioned question. In this context, he compares the two main streams of legal philosophy: Natural Law and Positive Law. Violence is a natural phenomenon for natural law and it can be employed, as long as the purpose, to which it serves, is “justice”. Individuals give up their rights to use violence, which they have during natural selection, in order to ensure the continuity of the state. Positive law, on the other hand, focuses on the means, rather than the ends as a priority. If the criterion for the ends is justice, the criterion for the means is legality. Walter Benjamin states that these two opinions, which appear to be in contrast with one another, actually converge on the basis of the same dogma:

...just ends can be attained by justified means, justified means used for just ends. Natural law attempts, by the justness of the ends, to ‘justify’ the means, positive law to ‘guarantee’ the justness of the ends through the justification of the means. (Benjamin, 2019:339)

Benjamin suggests that two separate and independent criteria are required to resolve this contradiction. He excludes the ends and the criterion for justice as he examines violence, because violence is both the means and is in need of means. Therefore, he approaches the theorem of Positive Law, as the hypothetical founding of his study, subjecting it to a historical distinction, regardless of its area of application: Legitimate and illegitimate violence. He investigates this distinction within the context of meaning. This distinction between legitimate and illegitimate violence is presumptive, instead of visible. Therefore, it can only be grounded on its historical roots. What needs to be done is to reveal the function of violence and observe the background of certain legal circumstances.

### **3.2. Legitimacy of Violence – General Strike**

Benjamin limits the scope of his field of work with the conditions of Modern Europe. All individual ends that include violence in today's Europe must be in accordance with legal purposes. Benjamin underlines that this does not stem from viewing individual violence as a threat towards the legal system; it stems from individual violence, actually serving the existence of the law. Violence in the individual sense fulfills the function of making sense of the law. The existence of the law is going to make sense, as long as individual violence also exists. Illegal violence can only be a threat risk, if it falls outside of the law. To that end, Benjamin exemplifies the great criminals, the society's admiration towards them and their antiheroic roles. A similar situation arises with the notion of "general strike". Organized labor is the only legal subject with the right to perpetrate violence besides the state. While it appears surprising to qualify the right to strike as violence, an action without activity can also include violence with the lack of action; i.e. the stopping of the service, according to Benjamin. From the point of view of the state, on the other hand, the workers' right to strike does absolutely not involve the right to exercise violence. On the contrary, it brings forth the connotation to avoid the violence, exercised by the employer. For Benjamin, the right to strike involves

violence, if it predicts a return to the suspended activity, depending upon the circumstances that are irrelevant to the activity in question. In this case, the right to strike for a worker is a source of power, a means to certain ends. The difference between these two points of view becomes most visible with 'revolutionary general strike'. While the general strike reserves a connotation of exercising the legal right of a worker, it is abuse for the state, for the reasons behind the strike can never be valid for any workplace.

According to Benjamin, these two different and contradicting perspectives also uncover an objective dispute concerning the legal status. While the state does not differentiate the violence, which sometimes serves to natural purposes, from others, it may respond hostilely, when a general strike is in question. Thus, in some cases, even exercising a legal right may give way to violence. The action may be qualified as violence, if the holder of the right exercises the right bestowed upon him to overthrow the system, which is the bestower. Such violence is a type of the violence that falls within the topic of Benjamin's investigation. For him, claiming such violence is impossible. He uses the example of military violence to refute said claim. Military violence is a predatory type of violence, directly serving to its purpose. Reminding that there is always a ceremony of peace at the end of wars, Benjamin states that the new conditions and new laws that emerge post-war are verified with the confirmation of peace.

If, therefore, conclusions can be drawn from military violence, as being primordial and paradigmatic of all violence used for natural ends, there is inherent in all such violence a lawmaking character. (Benjamin, 2019:345)

Such designation explains why the individual of the Modern Law is deprived of all the rights to exercise violence, even when it serves to natural purposes. Military service is the state's perpetration of violence as means to an end in a mandatory and universal way. The mandatory service reveals the bilateral function of violence. Purposes of military service are

completely legal and one of them is to subject all citizens to the law. It simultaneously possesses both the law-making and law-preserving functions.

### **3.3. Law-making Violence and Law-preserving Violence**

Positive Law claims that each individual aims to be on the lookout for the welfare and common interests of the humanity. However, this claim is also the focus of freedom-based criticisms. Such criticisms cover an understanding of common fate, rather than the roots of positive law. Aiming to preserve the law, violence is threatening and ambiguous. The very same understanding of common fate lies at the essence of said ambiguity. One of the most debated practices of this understanding is “capital punishment”. Founded on the assumption that a common fate does exist, if violence comprises the essence of the law, then the capital punishment is the most visible manifestation of this essence, for it is violence at the highest level. The law reestablishes itself in cases, where violence is exercised mostly on life. However, such violence also reveals a corrupted aspect of the law too.

Another institution that can be seen in the two functions of the law together is the police force. Underlined by Benjamin to have a malevolent side, for it suspends the distinction between the functions of law-making and law-preserving, the police force serves to legal purposes, but it is the type of violence that moves simultaneously in a larger area and can decide on the ends itself. Even when the police force does not declare the law, it still exercises its law-making function in each enactment and prohibition. The claim that the police force always has the same purpose and is even related to general law is not accurate. The exception status, where the state would try all means for the ends it cannot achieve through legal ways, brings police force to pass. Even when a legal situation is not in question, the police may intervene on grounds of safety. While the law moves in line with metaphysical categories such as time and space, said foundations are not valid for police force.

Its power is formless, like its nowhere tangible, all pervasive, ghostly presence in the life of civilized states. And though the police may, in particulars, everywhere appear the same, it cannot finally be denied that their spirit is less devastating where they represent, in absolute monarchy, the power of a ruler in which legislative and executive supremacy are united, than in democracies where their existence, elevated by no such relation, bears witness to the greatest conceivable degeneration of violence. (Benjamin, 2019:348)

All types of legal violence are either law-making or law-preserving. Unless they have one of the two functions, they would become invalid. Even in the most positive case, violence is related to the problematic, which is intrinsic to the law's nature (Benjamin, 2019:349).

Walter Benjamin inquires the existence of the possibility of solutions for the conflicts of interest among humans, other than violence. Benjamin is of the opinion that solutions other than violence cannot be bound with legal contracts. The essence of legal contracts stipulates that the law-making violence is the warrantor, even when it is not designated as such in the contract. If the tacit violence in the contract is removed, its bindingness would weaken. For example, today's parliaments lack the feeling of representing law-making violence themselves. They compromise these features for the sake of the non-violent political relations in question and turn towards non-violent solutions because of the threat of wars. Benjamin reiterates that all parliaments today, regardless of their status, have decrees that were acquired via violence.

Cases, where solutions other than violence are possible, are present in the relationships between private individuals. Benjamin argues that if non-violent means can be used instead of legal or illegal means, they can be called "pure means". Kindness, sympathy, pacifism, trust and so on are the objective prerequisites of pure means. However, the objective manifestations of these conditions are organized by the law in any case. Therefore, pure

means can only be used in conflicts regarding objects and always for indirect, not direct, solutions. Their areas of execution are technical matters.

The only exception concerning situations about objects is the private properties. The action of fraud; i.e. deception, is defined by the laws as a crime, when private property is in question. The law forbids means that have nothing to do with violence so that they do not lead to reactive violence. It also accepts the right to strike due to similar reasons: to prevent potential violence.

According to Benjamin, violence is the most efficient way to persuade individuals to reconciliation and reach reconciliation via peaceful ways. The probability of experiencing mutual harm with violence is a significant factor among private individuals; still, when classes or nations are in question, this changes. Strikes in conflicts of interest between classes may be viewed as pure means under certain circumstances. At this point, Benjamin highlights the distinction of Sorel with respect to strikes; political general strike and proletarian general strike. These two strikes have contradicting characters in their relations to violence. The main purpose of the political general strike is to enhance the power of the state. In this sense, the power is passed on from one privileged class to another. The only thing that changes is the master of the manufacturing group. On the other hand, the purpose of the proletarian general strike is to eliminate the power of the state. It resets the ideological consequences of all kinds of social policies. For this type of a general strike, striving for the termination of the state, expectation of any material gains is out of the question. The political general strike preserves the law, whereas the proletarian general strike makes it. For Benjamin, this conceptualization does now allow the claim that general strikes involve violence. In modern economy, all actions are evaluated with the legal status of their means; not their ends or impacts. A state that only evaluates the impact opposes the general strike on grounds of involving violence.

### 3.4. Mythical Violence – Ambiguity of the Law

All types of violence, allowed by natural and positive law, are problematic. Belonging to both perspectives, the main dogma that claims ‘fair results can be acquired via fair means’ is also open to questioning: “How would it be, therefore, if all the violence imposed by fate, using justified means, were of itself in irreconcilable conflict with just ends, and if at the same time a different kind of violence came into view that certainly could be either the justified or unjustified means to those ends, but was not related to them as means at all but in some different way ?” (Benjamin, 2019:356)

The answer to this question may shed light on the legal problems, which remained unsolvable until now. As was stated by Benjamin, the mind unfortunately does not decide on the legitimacy of the means and the fairness of the ends. Accordingly, violence that is imposed by fate decides on the legitimacy of means, while God decides on the fairness of ends. Therefore, Benjamin considers violence from a historical point of view and compares mythical violence with divine violence (Benjamin, 2019:355).

Mythical violence is the manifestation of Gods and their wills. Violence at this point cannot be used as means. It is merely the expression of the existence of Gods. With reference to the Legend of Niobe, Benjamin argues that the violence Apollo and Artemis exercise serves to enact a new law, rather than a punishment. The law-making violence, on the other hand, is two-fold. It actualizes the ends of law-making through violence. However, it does not dismiss violence, as soon as it completes its purpose; on the contrary, it makes the law in such a way that even when the law itself does not involve violence, it becomes dependent by necessity under the name of power. Making the law is establishing power and in this sense, is the direct manifestation of violence.

Benjamin continues his inquiry with the example he provides over mythical violence concerning the ambiguity of the law. He highlights that the principle for all sacred purposes is justice and emphasizes that creating borders and ensuring peace after the wars are the prominent manifestations of law-making violence. When the borders are set, the enemy does not vanish; on the contrary, when the power of the victor is completed, the rights are balanced. Benjamin qualifies the description of such rights as “equal rights” diabolical. The agreement becomes a line that must not be crossed for both sides. This is where the mythical ambiguity of the law emerges.

Poor and rich are equally forbidden to spend the night under the bridges.

(Benjamin, 2019:358)

Divine violence, on the other hand, destroys borders, instead of setting them, which is different than mythical violence. It is retributive. Mythical violence is also bloody, but divine violence is deadly without being bloody and exists in confirmation within everyday life, not just only religious tradition. Similarly, power is the manifestation of the law, exists outside of the law and is also destructive. The only difference is that the power’s destructive characteristic is valid only when properties and rights are in question; not human life.

Benjamin criticizes God’s commandment that forbids killing and the mentalities founded on this commandment. According to him, this assumption values life above justice. If the existence in living is the only condition of being human and the lack of human life is more terrifying than the lack of justice, then there is nothing to differentiate human life than that of a plant or an animal. For Benjamin, such consecration of life is a dogma, specific to Western culture, and the result of a sense of guilt, dating back to ancient times.

The critique of violence shall be the philosophy of its history, according to Benjamin; for we can only observe its development within the historical context and differentiate it. A

critique of violence that solely has to do with the current day would imprison us in the dialectics between the law-making and law-preserving properties. The law-preserving violence always weakens the law-making violence. This continues until new powers or the previously oppressed powers resurface and make new laws. Breaking this cycle within the mythical order is possible with the suspension of the laws, termination of the state and the beginning of a new era. This is the revolutionary violence, outside of the law, pure and instantaneous. A new order is only possible with revolutionary violence.



## **4. CHAPTER 4: REVOLUTION, DEMOCRACY AND VIOLENCE**

### **4.1. Intersection of Minimal and Comprehensive Approaches**

Arendt is of the same opinion as Benjamin in terms of revolutions. Grounding on the capableness of humans to create new beginnings through their actions and the concept of “natality” in her philosophy, Arendt emphasizes the phenomenon of revolution to examine the relation between power and violence, as it is the notion, where said relation is most visible. When revolutions are in question, the deterrence of the means of violence the ruling power possesses, are eliminated. The collapse of the power occurs at the point, where orders are disobeyed. Violence in the political sphere can only be discussed, if its legitimacy is being questioned; i.e. if political borders are being established. Otherwise, violence will be anti-political (Arendt, 2012:21). Revolutions drive us to “confront the begining issue”, which is different than wars (Arendt, 2012:23). Revolution has been on the stage of history with Modernity for the first time. The reason as to why we did not encounter the notion of revolution before Modernity is, according to Arendt, purely economic. The idea that there is a natural distinction between the rich and the poor is started to be questioned for the first time with Modernity. We witness political changes and violent actions that accompany said changes in antiquity, but they do not lead to new beginnings. Economic conditions, relations between ownership and political powers and revolution-like notions that arise with said relations changing hands, and “the provision that interests underlie all political conflicts” is an old idea, dating back to Aristotle (Arendt, 2012:25). The conflict of interest in question was only able to be covered as a social issue in the Modern Age. Along with Modernity, the idea that the distinction between the rich and the poor is intrinsic to humanity is started to be questioned. According to Arendt, this inquiry has undertaken a pioneering role for the first time in the American Revolution.

This suspicion or rather this belief that life can be blessed with abundance, rather than to be cursed with scarcity, was a premise that prepared the revolution and had American roots, having been born, in fact, directly from the American experience of colony. (Arendt, 2012:25)

The relation between the French Revolution and American Revolution is so comprehensive that it can be the subject matter of an entirely different research study; however, within the context of violence, the most important difference between the two revolutions is enlightening. The American Revolution utilizes Montesquieu's theory of the "separation of powers" in a political structure, whereas the French Revolution is founded on national sovereignty and centralized administration (Arendt, 2012:26). According to Arendt, this distinction does not carry great importance for the revolutionaries, for their goal was to change the society's texture, rather than that of the political sphere (Arendt, 2012:29).

Another argument claims that the notion of Christianity underlies modern revolutions. Arendt objects this view, because despite that the nature of the first Christians was interesting, it was not possible to ensure one of the vital elements of revolution. That element is secularism.

After all, what we call a revolution is that transition phase that brings along the birth of a new and secular field. If this is correct, it is the secularism itself that comprises the source of the revolution, not the content of Christian doctrines. The first stage of said secularization was the emergence of absolutism and not Reform. That is because "revolution" is constant and valid for all forms of secular administration. (Arendt, 2012:30)

## 4.2. Freedom

Modern revolutions arise with the idea of “freedom” in late 18<sup>th</sup> century. With respect to discussions about freedom in the political sphere, Arendt draws attention to the distinction between concepts of liberty, liberation and freedom (Arendt, 2012:35). Throughout history, the concept of freedom has been implied with different meanings. For example, in Ancient Greece, all citizens were accepted to be equal before the law; there was no distinction between the ruler and the ruled (Arendt, 2012:37). Deemed to be equivalent to freedom, the concept of equality is different than equality today, for it connotes the equality of equals. This equivalence between freedom and equality is only valid today in the political sphere. In the Modern Age, equality is founded on the view that humans are created as equals and are born as such. On the other hand, equality is not an attribution in the Ancient Greece, but a virtue of the police:

The Greek political thought was insistent on freedom and equality being interdependent; because it was thought that freedom arose in human activities, at least in part of them, and these activities could only emerge and become real when others saw them, reason them and remember them. Frankly, a free life needed the accompaniment of others. Thus, freedom itself required an agora, a market life, where people come together, or the police, the political sphere. (Arendt, 2012:38)

There are three fundamental rights in the revolutionary theory: life, liberty and ownership. These are inalienable rights. What is meant by liberty is to be free of unjust restrictions and is dependent on the condition to remain within legal boundaries. Arendt states that this is negative freedom and from this perspective, the Revolution can be linked with freedom in two different ways: Both liberation and freedom are considered together. This bi-direction is problematic in terms of advancing the thought:

Therefore, it is often very difficult to say where that pure desire concerning liberation; i.e. exemption from oppression, begins. (Arendt, 2012:40)

The action of liberation that comes along with revolution causes humans to experience freedom in the public sphere. This new experience reveals the human capability of making new beginnings:

In order to talk about revolutions, a passion for novelty must exist and novelty must be related to the idea of freedom. Naturally, this means that revolutions are more than triumphant rebellions and shows us our errors in considering every coup d'état and every civil war a revolution. (Arendt, 2012:42)

Military coup d'états and civil wars have a common ground with revolutions and it is violence; however, violence itself does not explain the phenomenon of Revolution as a notion. According to Arendt, we cannot talk about revolutions, unless a new beginning, a new political structure and the purpose of freedom exist together (Arendt, 2012:43).

### **4.3. History of Revolution**

Questioning the time and place, where it first emerged for the first time, in order to investigate how Revolution progressed within a relation with violence from a historical point of view, Arendt digresses towards the etymology of the word, Revolution, to find an answer. According to Arendt, the thinker, who became closest to the concept of Revolution in the history of politics, was Machiavelli:

The terms mutazioni [mutation], variazioni [variation] and alterazioni [alteration] are used so many times in Machiavelli's work that one could even fall into the error of interpreting his teachings as 'a theory of political change'. However, his attention towards these terms came from his search for something decisive, invariable and unchangeable; i.e. enduring and permanent. What

converges him to the history of revolution he heralds is the fact that he was the first person to ponder on building a permanent, constant and enduring political structure. (Arendt, 2012:44)

For the first time, Machiavelli approaches politics as a separate field with its own principles, independent from religion and moral norms, and insists that violence is a notion that belongs to the political sphere. For Arendt, Machiavelli is one of the pioneers of the revolutionary spirit, even though he was not a revolutionary in the sense of making a new beginning (Arendt, 2012:46).

Highlighting that the word Revolution has its roots in astronomy, Arendt exemplifies the work of Copernicus, *De revolutionibus orbium coelestium* (On the Revolutions of the Heavenly Spheres). The word, revolving, is used to describe the movements of the stars. It implies a cyclical and repetitive movement. It is not related to the meaning of making new beginnings as we use it in politics, but it has to do with astronomy from one perspective. Accordingly, moves of the stars are similar to the arbitrary movements and ups and downs of the history of humanity. From the framework of this metaphor, the word was used in the political sense for the first time in the 17<sup>th</sup> century:

...it was used right after the overthrow of the Rump Parliament in 1660 and during the restoration of the monarchy. In 1668, when Stuarts were expelled and the ruling power of the kingdom was passed down to William and Mary, it still had the same meaning. Very paradoxically, 'The Glorious Revolution', where it found its exact place in the political and historical languages, was never considered as a revolution, but as the rejuvenation of the supremacy and honor of the monarchic power. (Arendt, 2012:54)

#### 4.4. The Revolutionary Terror

When revolutionary terror is in question, we encounter another thinker, who attempted to interpret the concept of violence by steering clear of the influence of both the minimal and the comprehensive approaches: Claude Lefort. Published in 1983, Lefort examines Robespierre's speech at the National Convention on March 31<sup>st</sup>, 1794, in his article "Revolutionary Terror". Consequent to the long reigning dismissals, Danton, Camille Desmoulins, Lacroix and Phillippeau were arrested and especially the arrest of Danton, who was one of the symbols of the revolution, evoked great reactions. Robespierre spoke at the convention in the face of the gradually rising reactions. Lefort describes this speech as follows:

And yet it is not really because of its circumstances, its timing or its import that I have singled out Robespierre's speech for attention. It stands out because of its style, its tone and its composition, because of the strategy we can detect beneath the rethorical effects. Robespierre does not attempt to prove that Danton and his friends are guilty; he says not a word to that effect. Nor does he try to convince the Assembly of the need to maintain Terror; he only uses the word once, and then it is to evoke the fear his adversaries wish to inspire in him. His art is the art of displacing the object of the debate; he draws his interlocutors into the snares of an argument which they have to recognize as their own. He simultaneously imposes himself as master and obliterates the place of the master. Finally, he uses all the artifices of speech to do away with speech itself; the revolutionary truth of which he is the organ silences all debate. In short, Robespierre's speech does not take the Terror as its object; it exercises the Terror; it represents an important moment of the Terror in action. It speaks Terror. (Lefort, 1988:60)

While the September 1792 arrest of Danton, who was one of the heroes of the French revolution, on grounds of treason, was still creating reactions, along with astonishment and anger, Robespierre takes the floor and states that what is actually dangerous is the discussion of whether or not a few people are more important than the welfare of the country. Thus, he instantly and entirely changes the subject matter of the discussion. He successfully managed to turn Danton and his supporters into suspects before the Assembly without actually making any accusations. However, the topic of the discussion at that point was the arrest of Assembly members without their consent and their lack of opportunity to defend themselves before others. This, in turn, indirectly means the elimination of the immunity they had, for they were the representatives of the people. Robespierre was quite careful in not threatening said immunities and does not even mention restrictions that may affect freedom during the times of revolution. Instead, he draws the attention towards a discussion concerning whether or not the ambitions and interests of a few people is superior than the interests of French people, in order to reinforce the suspicion he already left with the Assembly. According to Lefort, the words he utters at this very point are quite strong and surprising at the same time:

Whether we have made so many heroic sacrifices, amongst which we must number certain acts of painful severity, ...only to come under the yoke of a few plotters who wanted power. (Lefort, 1988:61)

According to Lefort, Robespierre, who says “Instead of asking some people and their friends what they did at a particular time, we now ask them what they have been doing throughout their whole political careers”, attacks the principle regarding the potential objective reasons of revolutionary behavior without honoring the past services of the enemies. His purpose was to awaken the Assembly in the face of the opinion, stating that Danton was an exceptional person, the magic, created by the name Danton and even Danton, as a name per se. He underlines that privilege and an idol for the society are not wanted for anyone.

Lefort claims that Robespierre aims to control the thoughts of the audience with the words in his next attack: “At this very moment, when equality declares its victory, who are those, who are bold enough to destroy it in the Assembly and no less?” When he raised Danton up to the level of idols before by saying “we do not want idols”, Robespierre makes a cunning maneuver and regains control by saying “we will see whether the Convention is going to take down a so-called idol, who has been rotting for a long time now, or the idol is going to take down the Convention and the French people.” The gist of the argument is essentially as follows: Do not compromise with an idol, respect equality and do not be fooled by gossip (Lefort, 1988-62).

The power of Robespierre’s speech and in the same way, terror, lies in the capability of removing all kinds of expressions, which may give way to any conflicts, and of ensuring that the audience comes to the conclusion without any other alternatives. For instance, the issue in this speech is not whether or not the Assembly is to destroy Danton. He already rotted and he will fall on his own. The issue is that whether or not his fall is to destroy the Assembly. Or is the Convention going to leave him to save itself. (Lefort, 1988:63)

Lefort underlines that until this point of his speech, Robespierre has made no accusations against Danton yet. All he did was to compare Danton with traitors. And then, he changes the topic once again: “In what sense is Danton superior than his colleagues? And what privilege does he hold? In what sense is he superior to other citizens?” (Lefort, 1988:63)

They want to make us fear (*on veut nous faire craindre*) that the people will fall victim to the Committees, to the Committees which have won the people’s trust, which emanate from the national Convention, and which (*on*) want to divorce from it, for all those who defend its dignity are doomed to be calumniated. They fear (*on craint*) that the prisoners are being oppressed, and therefore they distrust our national justice, and the me who have won the trust

of the nation; they therefore distrust the Convention which gave them that trust, and the public opinion which sanctioned it. (Lefort 1988, 63)

Lefort states that the main argument in this discourse is quite clear: The Convention and the nation is One. The decisions of the Convention are made in line with the people's will and they are the reigning decisions. Committees, on the other hand, is one with the Convention, for it comprises of them. Similarly, judicial institutions are authorized by the Convention. Therefore, all suspicions towards Committees and justice are towards the Convention. According to Lefort, the exploitation of the language in this discourse is just as striking as the discourse itself. There is one other thing that is merely implied, rather than being explicitly said: *Suspecting the Convention itself*. Lefort tries to paint a clear picture of the wordplay of Robespierre by examining the pronouns he used:

He began by evoking 'men who sacrifice the interests of Fatherland to personal loyalties, or perhaps to fear'. They have not, of course, been named, but they could be. The *on* is then used to indicate the existence of an anonymous will; it refers to a power which wants to inspire fear, and not to individuals who are *perhaps* motivated by fear. But at least the *on* still seems to be unrelated to those Robespierre is addressing; he is suggesting that 'they are manipulating you' [*on vous manipule*]. And, as though to win over his interlocutors, he then converts the *vous* into *nous*. He himself is one of the enemy's targets: *on veut vous faire craindre* becomes *on veut nous faire craindre*. ...The enemy is no longer stirring up fears outside the Assembly; the enemy is inside the Assembly, on its benches; the enemy is among us [*entre nous*], among those Robespierre is addressing. (Lefort 1988, 64)

For Lefort, this is the point of the oration, where Robespierre's mastership emerges. He utters the names, but 'nobody' is already everywhere. Fear and guilt are together. He, who

is in fear, is guilty. For Robespierre, the “innocent” does not fear people’s supervision. What he implies is not only the auditing of the Committees, but the mutual auditing of each individual with one another. He, on the other hand, undertakes the task of “defending the principles”:

They have tried to inspire terror in me too, to make me feel that if I associate with Danton, I might be in danger too. They (*on*) described him to me as a man by whom I must stand, as a shield that could defend me, as a rampart whose destruction would leave me exposed to the shafts of my enemies. They wrote to me; the friends of Danton send me letters and importuned me with their speeches. (Lefort, 1988:65)

However, Robespierre does not hesitate in the face of any audits. According to Lefort, it is not his endurance that made him say this confidently. It is also not likely that he does not accept what happened to Danton may also happen to him. He merely does not view this possibility as a social disaster. On the contrary, he challenges the enemies by pointing himself as the target before them:

What does danger matter to me? My life belongs to the Fatherland; my heart is free from fear; and if I were to die, I would do so without reproach and without ignominy. (Lefort, 1988:66)

After making himself this vulnerable against the threats, Robespierre carries his speech to the pronoun of “we” once again with a clever maneuver and calls out to the Assembly with the words, ‘*at this point, we need to show a certain level of courage and perseverance.*’ Having managed to make his speech the voice of collective courage and the voice of the Assembly, Robespierre made everyone forget about the actual topic of the discussion: The fact that Danton and his friends were not allowed to defend themselves

against the accusations without any evidence at all and hence the violation of one of their fundamental individual rights.

Robespierre continues his speech by saying “*Whoever is shaking with fear now is guilty.*” According to him, said discussion is a threat against the country, a crime against freedom and one citizen, possessing more privilege than the next, is an insult for freedom (Lefort, 1988:67). Lefort takes Robespierre’s definition of guilty one step forward and claims that he brings everyone under suspicion. Lefort’s aim is not to investigate terror via Robespierre’s personality, nor does he encumber the responsibility of terror entirely upon him. He says that many others used terror as means, before they became victims. Still, he views Robespierre’s speech as a useful source of analysis for us to see how certain mechanisms of terror operate. For example, some of these mechanisms are how universal principles such as freedom and equality are turned into principles of death, how a collective will is created from the spreading fear and how the position of power is obscured under the guise of democratic heroism.

Lefort questions why Revolutionary Terror caused such a long historical and political debate. After all, other debates that followed terror itself did not take this long. For some, such as Taine, terror already started at the same time as the Revolution. In this case, a critique of terror would also mean a critique of the Revolution (Lefort, 1988:69).

At some point, distinguishing terror in each stage of the Revolution and describing it becomes difficult and complicated and it becomes easy to blame the Revolution with creating an evil system. Also, judging by the number of casualties, comparing the situation with Eastern despotisms and Greek or Roman tyrannies may make the Revolution appear more modest (Lefort, 1988:70). Lefort highlights that the first movement that invented terror as a means of state governance or enslavement was not French Revolution. Still, there is something that renders the French Revolution special – it brought terror and the search of

freedom together. The second important point is the lack of differentiation between actions of terror and discourse.

The Revolutionary Terror *speaks*. It implies self-justification, a debate as to its function, its ends and even its limits. It also implies that it can be challenged. It can, that is, be challenged by the men who took part in it. (Lefort, 1988:70)

Lefort exemplifies the speech of Saint-Just on February 26<sup>th</sup>. Much like Robespierre, Saint-Just also targets the Assembly members, who were relatively more tolerant and wanted an investigation after the arrest of Camille Desmoulins:

You wanted a Republic. If you want nothing of the means needed to constitute it, the people will be buried beneath its rubble; what constitutes a republic is the total destruction of everything opposed to it. (Lefort, 1988:70)

According to Lefort, the most remarkable point in such a speech is the link, formed between establishment and destruction. From a certain perspective, Revolutionary Terror is a sort of anti-terror. Oppressed by the Monarchy's reign for a long time, it can be said that people now have the right to act in the same way against those who stand against freedom. However, for Lefort, this perspective is voiced too little too late and Terror belongs completely to its discourse. When the Convention questioned the suspicions and limits against terror, Saint-Just actually entered into a paradox with the words, "*Do you not have the right to behave as the supporters of tyranny behave towards supporters of freedom in other places?*" According to Lefort, said claim is parallel with the lack of the right. Despite the establishment of a symmetry between liberating terror and tyrannical terror, there is still a huge gap in-between:

The former [the terror of liberation] has no consistency of its own; it is consubstantial with a system of government; it raises no questions that have not already been formulated by an analysis of that system. What is referred to as 'terror' designates, in this case, no more than the intensification of a mode of repression, a concentration of the means of coercion, or the exacerbation of an authority in which it was already potentially present. Indeed, the word 'terror' could without difficulty be replaced by some other expression such as 'extreme fear', 'widespread fear', or 'the unleashing of arbitrary violence' depending on whether we take into consideration its victims or the actions of the government. (Lefort, 1988:72)

But the Convention opens up a new political sphere for terror, when it considers it as a topic. According to Lefort, this also earned terror an essence. When it is revealed once and voiced by the state organs, terror is liberated. Lefort qualifies the utilization of terror for freedom as deviance:

Alternatively, we might say that it is the law in action, the law which makes the sharp distinction between good and evil, between being and nothingness. The terror of the tyrant, in contrast, does not have this great ability to discriminate; the tyrant suppresses that which resists, disturbs or displeases him. Having no knowledge of good and evil, he can have no knowledge of the nature of society; he strikes cruelly, but at random, without even knowing who the enemy is. In that sense, the revolutionary Terror seems to have converted the terror of old into a truth or, more accurately, to have elevated it to the status of truth. (Lefort, 1988:73)

Whether it is on behalf of freedom or of other values, terror is a type of violence at its core, exercised by one human to another. Much like the case between crime and value, there

is a clear distinction between oppression and freedom. These distinctions became invisible with Revolutionary Terror. It is terror itself that created this invisibility, for like Lefort stated, “terror speaks”. However, the discourse of terror concerns what cannot be said.

What can be said in the discourse of the Terror reveals a trace of what cannot be said. The unspeakable usually remains concealed, but it sometimes becomes imminent, and it reveals to us the mouth of the Terror, which both generates and swallows up speech. This may escape us if we look only at the circumstances... (Lefort, 1988:77)

Lefort argues that examples of such delusion can be found in the speeches of both Robespierre and Saint-Just. While Robespierre formulates “the despotism of freedom” on one hand, he also states that he is the “slave of freedom” on the other, at the end of his speech. For Lefort, both arguments voice what is impossible to say.

They open up a new abyss for thought: the absolute assertion of liberty merges with its negation; meaning empties into meaninglessness. What implies recourse to terrible means, to the methods of despotism, if the roots of despotism are to be extirpated. But Robespierre’s words reveal a trace of something that cannot be said; they burn his lips as he speaks; articulation breaks down, and the Terror speaks amidst the ruins of human speech. (Lefort, 1988:78)

#### 4.5. Revolution as the Law-Maker

Legitimization of exercising excessive violence to acquire freedom and hence discussing that the principles of the republic are not different than those of other regimes, that is to say, put it into words, are practically possible. However, what Lefort wants to see and reveal is “*that which is not spoken*”. We cannot talk about who actualizes the revolution, when we talk about revolution and revolutionary terror. Revolution is always used in a sentence as the pronoun. However, there are real, flesh and blood persons, behind the curtains of a revolution:

Why conceal the identity of its founder? What does ‘what constitutes’ mean when it has to be related to the figure of an actor? And if that actor is the people, or the Convention which represents the people, how can one define or circumscribe everything that is opposed to it, how can we relate that to the specific figure or an adversary? Could it be, one begins to wonder, that what has been left unsaid cannot be said? When an attempt is made to conceptualize the foundation of the republic, what can be said sometimes obviously gives way beneath the weight of what cannot be said. (Lefort, 1988:78)

Lefort also finds similar expressions in the speech of Billaud Varenne on October 20<sup>th</sup>, 1794. Billaud Varenne, in this speech, first states that people have been living under the oppression of the monarchy for a very long time and are exposed to its propaganda, therefore are used to crushing each other; then goes on to mention that familiar fantasy, which is widely desired to be actualized with the Revolution: Creating a new human.

The French people have set you a task which is as vast as it is difficult to carry out. The establishment of a democracy in a nation that has languished in chains for so long might be compared to the efforts made by nature during

astonishing transition from nothingness to existence, and those efforts were no doubt greater than those involved in the transition from life to annihilation. We must, so to speak, recreate the people we wish to restore freedom. (Lefort, 1988:79)

According to Lefort, these words refer to the legitimization of terror. However, birth and death are notions that cannot be conceptualized. Similarly, body politics or the establishment of democracy cannot be compared with how the nature operates. Nature's operation is not about humans. He finds this idea preposterous:

This idea is doubly absurd: the people ask their delegation to give birth to them, but the delegation is part of the people. In fact it is triply absurd, for if it is true that *the people crushed itself*, how could they wish to be restored liberty... to a liberty they have never known? (Lefort, 1988:79)

According to Lefort, Billaud-Varenne, much like others, points to the enemy's terror to legitimize democratic terror. While there are those, who want to destroy society on one hand, there are others, who aim to destroy the others, who crave for this destruction, on the other. "*We are killing the murderer to avoid becoming a victim (Lefort, 1988:80).*" It is as if there are no other options than this spiral of violence. Formed by terror, this sphere also hosts the relational dimension of violence as it emerges: The nature of this sphere comprises a network of bilateral relations. The correct position of the revolutionaries can only be determined in reference with the position of others. Lefort illustrates how this process functions step by step with the help of July 22<sup>nd</sup> Laws:

Article 8: The penalty for any offence within the cognizance of the revolutionary tribunal is death.

Article 9: Any citizen has the right to seize conspirators and counter-

revolutionaries, and to bring them before the magistrates. The citizen is expected to denounce them as soon as he discovers them.

Article 6, which lists the enemies of the people, mentions 'those who have tried to sow despondency, and even those who have spread false rumours or have tried to lead public opinion astray with counter-revolutionary or insidious writings, or by any other machinations'. (Lefort, 1988:81-82)

Lefort underlines that moral evidence is accepted to suffice with Article 8 and physical evidence is not sought anymore. Along with June Decrees, terror became limitless. Even the wish to refer to reality to legitimize terror is eliminated.

Lefort states that even the never-ending torture of terror has an end. The June Decrees have bestowed upon a new and excessive power to Committees: The authority to arrest members of Assembly and take them to Revolution Courts. On the other hand, the rebels were suppressed and the French Army was victorious in all fronts. The state organization, on the other hand, experienced a significant change. The oppression gradually became more centralized and the majority of regional Revolution Courts were shut down. The Committee of Public Safety established the Police Bureau and Paris became the center of Revolutionary Justice. Lefort, once again, considers these developments with respect to Robespierre's speech.

We must, then, re-examine the way in which the use of Terror was combined with the search of power. It was in order to reveal the link between the two that we began by analysing a speech by Robespierre. We noted his remarkable ability to bend the Assembly to his will – his will to exterminate the Dantonistes – by using devices which allowed him both to appear to be in possession of knowledge, speech and vision, and to conceal the position from within which he was using them. He did not call for a decision, but revealed

that there was nothing to decide that had not already been decided by virtue of the logic of principles and by virtue of the essence of the Convention as representation of the people. He did not take part in the debate, but revealed that the debate should never have taken place, and even condemned himself to silence. Whilst his words caused a terrible threat to hang over the Assembly, he offered its members the means to escape it by turning on one another. By transferring suspicion, he effected a transfer of power. (Lefort, 1988:86)

Lefort argues that the revolutionary aspect of terror in Robespierre's speech lies in its prohibition that everyone shall have power. From this perspective, it can even be said that it has a democratic side after all. Terror requires terrorists to recognize each other as equal individuals before the law. Therefore, said individuals face a terrible dominance. They all have to assume responsibilities due to terror. However, the force they acquire from terror does not possess the strength that comes from an ever defined, reliable and general power. In other words, they cannot act as bureaucrats. By looking at these observations, Lefort states that what renders the life of terror impossible is Robespierre's attempt to consolidate it. He thinks that the effort to reassure terrorists paves the way for those that remained from the unity of terrorism to scatter. He blames Robespierre with seizing the control of the police and revolutionary justice and trying to make sure that the Convention functions as per his wishes. Meanwhile, he had to obscure the ways that constantly provided him with power, for all who seek power will eventually have to be eliminated as individuals.

The means Robespierre used to institutionalize the Terror were – apart from the administrative measures described above – essentially of a symbolic nature; he had to provide a criterion which could finally reveal the doctrinal unity of terrorism. The project never went beyond the outline stage, but there can be no doubt about its meaning. In Robespierre's view, belief in the Supreme Being is,

in this final period, the vital and ultimate guarantee of public safety – of, that is, a terrorist dictatorship. (Lefort, 1988:87)

According to Lefort, the Festival of Supreme Being, organized by Robespierre on June 10<sup>th</sup>, and the concept itself are so hollow that they were not even taken into consideration by historians. However, Lefort also suggests that they missed an important point: Robespierre uttered terror and conservatism together (Lefort, 1988:87). He kept talking about values, people's happiness and the wholeness of the body politics, but at the same time, he constantly condemned atheism, naturalism, materialism and philosophism. Things have gotten so out of hand that it became impossible to know who killed whom and why they did so. It was even proposed that instead of crosses, symbols of sleep be engraved on tombstones. The aim at this point was to exempt terror from the court of immortals, just as much as mortals.

When the enemy of the people becomes the enemy of the God, everything changes. Robespierre may well go on denouncing the conspiracies that are being hatched in secret, but the whole economy of evil has been overturned. The interminable has come to an end. Revolutionart Terror or modern terror cannot accommodate itself to a theocratic institution (not to mention the fact that the Supreme Being lacks the support of any religion). (Lefort, 1988:88)

#### 4.6. Is a New Perspective Possible?

Claude Lefort steps out of the framework of minimal and comprehensive approaches and questions whether or not a new perspective is possible for political philosophy and its concepts. He especially attempts to ground certain concepts of political philosophy over social relation networks. He emphasizes democracy, as the regime that highlights the socio-cultural dimension of politics. In his 1983 dated article “The Question of Democracy”, Claude Lefort covers the relation between democracy and totalitarianism through the idea of freedom, in the analysis he starts by blaming his contemporaries with their indifference on thinking about the political during the fall of the Berlin Wall, despite being intellectually equipped. The relationship between democracy and totalitarianism has been a main topic for almost all political philosophy discussions. Within the scope of said discussions, one of the most frequently asked questions is whether or not democracy masks the exploitation of one class over another, as well as the standardization and mass conformism of the collective life it dominates. What is the reason of this mutation that causes totalitarianism to be born from democracy? Is it economy? Is it the technological developments? Or does it have to do with the rise of state bureaucracy? Drawing on these and other similar question, Lefort accuses his contemporaries, who studied thinkers such as Heidegger, Lacan and Levi-Strauss and meticulously approached ontological differences, with falling into the trap of realism, when it comes to political sphere. According to him, even Marxism could not avoid this trap, despite being a naïve philosophy itself. It paved the way for the birth of concentration camps, where millions of men and women were slaughtered and turned into a regime, where the freedom to organize was oppressed and the right to vote was abolished. According to Lefort, what is even graver is that the intellectuals, who claimed that the structures established in USSR, Eastern Europe, China, Vietnam, Cambodia or Cuba did not really represent socialism, did not pursue Marxist theory.

Wanting to retake political philosophy as his focal point, Lefort claims that the first thing that must be done is to cut political philosophy's link with political science and political sociology, hence cutting off the link with their influences too:

Political sociologists and scientists, for their part, do not attempt to define politics as a superstructure whose base is to be found at the supposedly real level of relations of production. They obtain their object of knowledge by constructing or delineating political facts, which they regard as particular facts and as distinct from other particular social facts, such as the economic, the juridical, the aesthetic, the scientific or the purely social, 'social' being defined as designating modes of relations between groups or classes. This approach implies a surreptitious reference to the space that is designated as society. It claims to be able to provide a detailed survey or reconstruction of that space... (Lefort, 1988:10)

According to Lefort, both political science and political sociology, which also have such an approach, position themselves independent of the social life, despite working on "social life". They act as if they do not have any links to the relations within the social life. Lefort claims that this is merely fiction:

...modern democratic societies are characterized by, among other things, the delimitation of a sphere of institutions, relations and activities which appears to be political, as distinct from other spheres which appear to be economic, juridical, and so on. Political sociologists and scientists find preconditions that define their object and their approach to knowledge in this mode of appearance of the political, without ever examining the form of society within which the division of reality into various sectors appears and is legitimated. (Lefort, 1988:11)

From Lefort's perspective, political scientists and political sociologists approach reality as a fragmented structure and deem said fragmentation to be legitimate. However, what is political itself is surrounded by the social life at a given time. Furthermore, it does not manifest in only the political actions. On the contrary, what is political occurs in institutions and a twofold motion, where various modes of institutions are visible and ambiguous. Different than Arendt and Benjamin, Lefort argues that the space of politics is ambiguous. Said ambiguity represents the area of movement for political parties, while also shaping the appearance of the ruling power. But most importantly, this ambiguity allows the fundamental principle that drives politics to be cloaked.

For Lefort, who defines politics as a social mode such as economy, law and aesthetics, the question that determines the direction of the research is "What is the nature of the difference between forms of society?" Accordingly, we cannot examine social structures, modes or classes without covering them independently from the social spheres in which they exist.

They are given meaning in that social space unfolds as a space of intelligibility articulated in accordance with a specific mode of distinguishing between the real and the imaginary, the true and the false, the just and the unjust, the permissible and the forbidden, the normal and the pathological. They are staged in that this space contains within it a quasi-representation of itself as being aristocratic, monarchic, despotic, democratic or totalitarian. (Lefort, 1988:11-12)

As topics of political science and social studies are objectified, a subject that owes nothing at all to social life and has the ability to take intellectual actions must be assumed. At the same time, reference to the neutrality of the subject in question, depraves the subject from organizing relations with humans and the world and any experience that may be useful in forming said relations. Such a subject cannot grasp the difference between notions such as

legitimate – illegitimate, true – false, authentic – fake or power – search for personal interest. For Lefort, this perspective causes us to cut our ties with philosophical tradition and avoid making judgments. Therefore, we lose all of our sensations, regarding the differences between social forms. In this case, what must be done is to keep our way of approaching the political in line with philosophy to avoid from cutting it off from its context with the social sphere.

#### **4.7. Mutation of Democracy: Totalitarianism**

From this point of view, Lefort objects the definition of totalitarianism over production relations in order to discuss the link between democracy and totalitarianism and examines the type of sociability, in which it functions. According to Lefort, totalitarianism arises from a political mutation and is the most visible manifestation of the status change in power.

What in fact happens is that a party arises, claiming to be by its very nature different from traditional parties, to represent the aspirations of the whole people, and to possess a legitimacy which places it above law. It takes power by destroying all opposition; the new power is accountable to no one and is beyond all legal control. (Lefort, 1988:13)

Lefort draws attention to the change in the society's structure with totalitarianism. A concentration occurs between fields of power, law and knowledge. Knowledge concerning the norms, governing the society's ultimate goal and social practices, passes to the ownership of the political power. The political power now claims to be the only organ that speaks the reality. The state and civil society integrate and they spread the instructions of the political power from hand to hand. This transmission is carried out through the reshaping of all organizations within an artificial sociability, and the reproduction of power relations in a general model. A homogeneous and self-transparent society emerges as the people. All

divisions and differences are looked down on and denied. Lefort calls this type of governance modern despotism. The only source of power is society for totalitarianism and it is as if there is nothing else but that society in the world. Another distinctive characteristic Lefort points out is the combination of an artificial ideal and a natural ideal. The body image is combined with the machine image. The society starts to produce itself. It is as if a permanent levy en masse exists and the aim is to create a whole new human.

Lefort considers democracy as a social form, much like all the other types of governance, and attempts to understand what renders it unique and how it transforms into totalitarianism. To that end, he makes a note on Tocqueville. Tocqueville maintains that in order to understand democracy, one has to go back to the moment of its beginning. It will be quite easier to project about the future by looking at the roots in the past. Tocqueville suggests that the precursors of democracy were established long ago and an irreversible dynamic has been created. He considers democracy within the context of its relations with social ties, political institutions, the individual, the functioning mechanism of the public opinion, forms of knowledge, religion, law, language, literature and history.

Lefort finds the fundamental conflicts Tocqueville, whom he considers to be the pioneering theoretician of liberalism, determined in democracies quite striking. The individual is rid of his/her personal addictions, consisting of former social ties, and acquired the freedom of thinking and acting as per his/her own norms. But at the same time, he/she is isolated and impoverished. While the public opinion became a force on its own and seized the rights of expression and communication, it is positioned independently from all subjects and objects and above all, along with totalitarianism. Similarly, the law fulfills its duty of standardization of behavioral norms with the changes in modes of thought and practices. Finally, political power is ultimately rid of the arbitrariness of personal governance, but since it destroys all

individuality, it does not belong to anyone either. It has virtually turned into the governance of an abstract public.

While Tocqueville aims to reveal what underlies the appearances, Lefort wishes to reveal what underlies the underlying. He attempts to carry out an even deeper examination. For Lefort, the point that eludes Tocqueville is the lostness of the new claim of singularity that emerged with democracy under the anonymity of governance; and the claim of the significance of differences under the uniformity of governance. The spirit of novelty is sterilized with the instantaneous pleasure and historical time. Lefort thinks that Tocqueville loses sight of the dynamic aspect of social life:

What he fails to see, and what we are in position to observe, is that another influence or counter-influence is always at work and that it counteracts the petrification of social life. (Lefort, 1988:15)

Lefort defines the democratic society “par excellence” and states that this society always invites and preserved “ambiguity”. This is in contrast with totalitarianism. Despite such contradiction, how was democracy able to pave the way to totalitarianism? Lefort approaches the monarchic eras of Antique regimes as the precursors of democracy to probe this mutation:

It is in effect within the framework of the monarchy, or that of a particular type of monarchy which originally developed in a theologico-political matrix, gave the prince sovereign power within the boundaries of a territory and made him both a secular agency and a representative of God, that features of state and society were first outlined, and that the first separation of state and civil society occurred. (Lefort, 1988:16)

The prince does not have limitless power. Lefort describes the prince as an intermediary between mortals and Gods. The prince is the subject of the law and is above it at the same time. Similarly, his body is both mortal and immortal.

Power was embodied in the prince, and it therefore gave society a body. And because of this, a latent but effective knowledge of what one meant to other existed throughout the social. (Lefort, 1988:17)

Along with democracy, the sphere of the political power becomes “an empty space” (Lefort, 1988:17) and the exercising of power is subjected to periodic rearrangements and distributions. Power is determined consequent to a controlled race with permanent rules, which naturally results in the institutionalization of conflict. The perpetrator, linking power with the society, is not related to an unconditional pole anymore and points to a division between the interior and the exterior of the society. The perpetrator becomes entirely symbolic, as the perpetrator establishes said link between these two dimensions. In consequence of this transformation, areas of law and knowledge separate, while the legal entity is eliminated.

Once power ceases to manifest the principle which generates and organizes a social body, once it ceases to condense within it virtues deriving from transcendent reason and justice, law and knowledge assert themselves as separate from and irreducible to power. (Lefort, 1988:17)

Finally, the power figure within materiality and entity disappears. The de facto exercise of power becomes dependent on its constant reproduction and transience, as well as the conflict of collective will. This renders the establishment of the entity of law's autonomy impossible. Improvement of rights becomes dependent upon the discussion of what its foundation and legitimacy are. Similarly, the recognition of the autonomy of knowledge

advances hand in hand with the constant rearrangement of information obtaining processes and the investigation of the truth. A new relation with reality is established with the differentiation of power, law and knowledge. According to Lefort, this new relationship excludes sociability:

A dialectic which externalizes every sphere of activity is at work throughout the social. The young Marx saw this only too well, but he mistakenly reduced it to a dialectic of alienation. The fact that it operates within the density of class relations, which are relations of domination and exploitation, should not make us forget that it stems from a new symbolic constitution of social. (Lefort, 1988:18)

Moving over separations to establish political power, the order also establishes totality at the same time. A bilateral movement is in question at this point. The emergence of a political stage, where a relationship between competition, mobilized by the exercising of power, and conflicts among the society, can take place, both renders said separation visible and constructs a holistic structure.

The relation established between competition mobilized by the exercise of power and conflict in society is no less remarkable. The erection of a political stage on which competition can take place shows that division is, in a general way, constitutive of the very unity of society. (Lefort, 1988:18)

Lefort highlights the importance sociability gains as a result. The democratic society is built as a society without a body and undercuts the representation of an organic wholeness. The elimination of natural determination leads to the emergence of a fully social society. Thus, the nation and the state rise to the level of universal beings. Moreover, the possibility to

rise to the level of universality arises for any groups or individuals too. According to Lefort, the universal right to vote renders the paradox within democracy more visible:

It is at the very moment when popular sovereignty is assumed to manifest itself, when the people is assumed to actualize itself by expressing its will, that social interdependence breaks down and that the citizen is abstracted from all the networks in which his social life develops and becomes a mere statistic. Number replaces substance. It is also significant that in the nineteenth century this institution was for a long time resisted not only by conservatives and bourgeois liberals, but also by socialists – and this resistance cannot simply be imputed to the defence of class interests. It was provoked by the idea of a society which had now to accept that which cannot be represented. (Lefort, 1988:19)

#### **4.8. Beginning of the Mutation – The Problem of Certainty**

Lefort claims that what is noteworthy, yet elusive (more than positive or negative aspects) is that democracy has been established on the resolution of the indicators of certainty. This caused a new time to begin, where people experience a fundamental uncertainty concerning power, knowledge and law. Lefort concludes that a particular investigative process, of which those who act are not aware, is also intrinsic to social practices:

It is this which leads me to take the view that, without the actors being aware of it, a process of questioning is implicit. (Lefort, 1988:19)

What Lefort speaks of is the search of a state with an essential identity, embodied and free of political power and fragmentation. There is always the chance that the democracy is going to go wrong in societies, where the logic of the regime and the fundamentals of political and social orders vanish, a full legitimacy is out of question, nothing that is established ever

reaches full legitimacy, class differences are not challenged, rights depend on the discourse of their organizers and the functioning of power is based upon conflicts. In times when economic recessions and risks of war increase, which results in the gradually increasing feeling of unsafety in individuals; in times when conflicts between classes and groups increase and they cannot be resolved in political arenas anymore; in times when the strength of political power is reduced to reality and interests and desires for vile ambition has no other role but being a tool and when this is all visible throughout the society and when the society now has a fragmented look, the fantasy of “people as a whole” emerges. When there is no Prince, who undertakes the role of intermediary between God, the source of his power in the sky and the people on earth, when there is no other figure who could assume responsibility when things go awry or can be either a savior or a victim when necessary, the society attempts to establish ‘ONE’ness that would reiterate the feeling of safety over a more symbolic concept and turns the regime into totalitarianism by using democratic methods. Has politics, since the day of its emergence, contained another apolitical element within the centuries? In a regime, where politics convert places into hollow spaces and only the political is allowed to settle temporarily, was this mutation in times of crisis an attempt to fulfill what was missing? Was it this external element that earned politics its oneness and ensured the formation of its essence?

## 5. CHAPTER 5: ISOLATED SPHERES: POLITICAL SPHERE – PRIVATE SPHERE

### 5.1. Religion as the Obscure Elements within the Political Sphere

Claude Lefort underlines that until the French Revolution, the history, literature and even poems of Western philosophy advanced over the belief that changes on the political plane cannot be grasped without investigating the religious significance of the Old and the New. This paradigm changes with the French Revolution. Lefort describes said change in his “The Permanence of the Theological-Political” as follows:

It is while that event is still a living memory that there arises a feeling that a break has occurred, but that it did not occur within time, that it establishes a relationship between human beings and time itself, that it makes history a mystery; that it cannot be circumscribed within the field of what are termed political, social or economic institutions; that it establishes a relationship between human beings and institution itself; that it makes society a mystery.

(Lefort, 1988:213)

During this time, when the relations of people and institutions also changed, the changing of the mentality, positing that the state is an independent being by itself, appears remarkable. Around the same time, politics became its own unique reality, as religion was exiled to the boundaries of private life. However, this phenomenon was subjected to many criticisms, especially Hegel’s idea that religion and state cannot be separated. Today’s political concepts are based on these old discussions as well. Lefort argues that the separation of political and religious spheres, which Lefort believed to be underlied by a bourgeois spirit at its roots and Hegel qualified to be a huge faux pas, is the opinion that designs today’s reality. According to Lefort, old thinkers failed in understanding the new and the coming and

making sense of them. The term “what is political” drives us to confront an ambiguity. Similar to the differentiation between “la politique” and “le politique” in French, Turkish language also has two terms that refer to the same field with different connotations: “siyaset” and “politika”. According to Lefort, this confusion stems from the methodological criterion that is useful in designating the limits of the semantic field and the desire to suggest an objective definition. The epistemological action we apply to the object with which we associate ourselves – whether the object is real or ideal – requires that we differentiate said object from other defined or definable objects. In this case, the criterion of ‘what is political’ is determined with the criterion regarding what is not political. The criterion for what is economic, social, legal, aesthetic or religious, is used to determine what is political.

This process is not innocent, for Lefort, because it is obscured behind a gap, borrowed from the field of Absolute Knowledge (Lefort, 1988:216). Science is only interested in certain objects; however, determining the object for the research on what is political is the most fundamental challenge. Still, scientific point of view does not prevent us from investigating the articulation between what belongs to what is political and elements that belong to different fields. On the contrary, it encourages us to do so. Yet, it is useless for Lefort to try to revive old philosophical discussions with the sole purpose of making sense of today. For him, what differentiates one society from the other is how it shapes the political regime; or in other words, how humans come together:

In other word, it is simply because the very notion of society already contains within it a reference to its political definition that it proves impossible, in the eyes of the philosopher, to localize the political *in* society. The space called society cannot in itself be conceived as a system of relations, no matter how complex we imagine that system to be. On the contrary, it is its overall schema,

the particular mode of its institution that makes it possible to conceptualize.

(Lefort, 1988:217)

According to Lefort, if we are to overlook this characteristic of society, we would fall into the trap of a positivist setup, inevitably move based on the pre-societal determinations and consider said determinations as social elements, based on our experience. The philosopher attempts to achieve a principle of internalization, when s/he approaches society, by looking at various regimes and forms. S/he attempts to explain with this principle a certain social mode that differentiates or organizes classes, groups or social levels. According to Lefort, the process of shaping the society requires both making sense of social relations and signifying them. As soon as we determine the distinction between what is social and what is not as a notion, we would be stepping into the fictional field. It is the principle of internalization that allows us to conceptualize politics. And this principle operates by assuming that our experience of existing together is an organized experience and that there are certain distinctions between indicators. However, our experience of coexistence cannot be completely separated from our experiencing of the world as a whole. Distinctions between real and imaginary, right and wrong, fair and unfair, natural and supernatural, normal and abnormal are not limited to the relations people establish in social lives. Each detailed examination regarding the political society must also include an examination concerning the world and what exists by itself (Lefort, 1988:219).

On the contrary, politics and religion are considered as two separate orders of practice and relations. With respect to philosophical research, the problem is that the attempt to understand how areas concerning politics and religion are organized is only done through empirical history. From this point of view, we can see that there has not been a distinction, made between the two fields for thousands of years and people load religious meanings onto the actions of the authority. This approach hosts a twofold challenge. On one hand, it loses its

depth entirely and on the other, science assumes an ambitiously relative stance. Thus, science would obscure its own operational circumstances and the foundations of its claim of universal validity.

The alternative is dialectical theory. According to this theory, the rational and potential practices of a society would transform and evolve into what they need to be. According to this theory, there is no point in distinguishing between religion and politics. Whatever our starting point is, we would face the challenges with respect to the symbolic differences between the worldviews of both politics and religion, when we approach the principles regarding the political sphere. The point, which determines the perspectives on human communities for all religions, is a hunger that was not humanly created. This is the area of interest that philosophy finds in religion: The manner, in which humans picture and organize the relations they form with one another with something beyond empirical time and space and around it. This way, people place something they cannot see into objects they can and create an entirely different time, which exists before time, and an entirely different space, different than their own. With this perspective, it does not necessarily mean that we are claiming that what is sacred is human invention. However, we try to analyze what is sacred or what underlies its appearance. “Modern philosophy cannot ignore its debt to modern religion; it can no longer distance itself from the work of the imagination or appropriate it as a pure object of knowledge, once it finds itself grappling with the question of its own advent, once it no longer conceals from itself that there is also such a thing as the philosophical *work of thought* and that the focus of its investigations can be displaced, even though it may indulge in the fantasy of being able to put a halt to its displacements.” (Lefort 1988:223)

## 5.2. Democracy – Power Belonging to No One

Attempting to draw a framework for the relation between religion and politics on a philosophical ground, Lefort continues said discussion over democracy. While the sphere that is called society has many fragmentations in itself, it is still able to organize as a whole and appears to be “uniform” from afar. For Lefort, what comprises political power is this symbolic pole per se. Political power expresses its externality, while ensuring its pseudo representation (Lefort, 1988:225). Power refers to something “external” and defines itself for what is out there. Whatever its form is, there is a common function that all political powers possess: An organization between internal and external, a fragmentation establishing common field, a fraction organizing relations and an action for internalization accompanied by the externalization of what is social. However, there is still a difference between democracy and all the other known regimes. Democracy designs the space, in which power exists, as an empty place, thus creating a gap between the real and the symbolic. It does this through the discourse that power is owned by no one. Those, who exercise power, cannot own it. Exercising power and embodying it are different notions. In order to acquire the authority to exercise power, one must enter into a race that is periodically repeated. The authority that takes over the power is constantly recreated through the declaration of the people’s will. A positive determination of power is hence conducted with the representation of the country and the definition of the citizen. There are two significant determinations in democratic societies, according to Lefort. The first one is the idea that power belongs to no one and the second idea concerns the empty sphere democracy created for power (Lefort, 1988:226). The idea that ownership of power belongs to no one is formulated by political actors. All actors completely reject the idea that one of their own is going to own the power forever. The lack of ownership of power means “none of us owns power”. The idea concerning the empty sphere, on the other hand, requires a society without positive determination. Such a society cannot be

represented with a community figure, because in modern democracies, an external reference to comprise the essence of the society, such as Gods, sacred lands and so on, to divide power is not needed. In other words, the materialization of “Another” that would necessitate the intermediation of another power, is out of question. Therefore, the society only establishes a relationship with itself via internal fragmentations. Another outcome of this situation is that once references of being “another” and “one” are eliminated, the power cannot bring together principles of Knowledge and Law in itself. Therefore, power is symbolic in democracies and an essential totality of society is out of question. Power depends on the institutionalization of conflict. The institutionalization of conflict is the result of a legal process and the very first stage of this process helps to define the sphere, belonging to politics (Lefort, 1988:226).

Actors representing public authority compete in the political sphere. The legitimacy of the power and the legitimacy of conflict are interlinked. The link between the legitimacies of both assumes certain phenomena, such as freedom to gather, freedom of speech, freedom of thought and freedom of mobility. Thus, the division between state and civil society becomes blurry. This, in turn, makes it more challenging for us to posit a de facto determination regarding social relations.

The characteristic of democracy, being the only regime with a notion on power, where nobody can take over the gap between what is symbolic and what is real (prince, minority and so on), also causes it to possess a virtue that allows our society to experience its own configuration at the same time. Through elections, the configuration of political power, the organization of public authority and the supervision on this authority are ensured. The symbolic dimension of sociability, on the other hand, is often overlooked, because it cannot hide under the difference between the visible and the invisible world. This is where the paradox of democracy also lies. Regimes, where the power figure is based on another power, cannot hide the principle of politics behind social order. Since the religious base of power is

entirely approved, it is both the voucher and the guarantor of the certainty of our experience regarding the world. Said religious base is also the protector of law at the same time.

On the other hand, in democracies, where the figure of “Other” is eliminated and the political power cannot unlink itself from the fragmentation that borne itself, the regime cannot be grasped in its political form. The boundaries of society are blurry and indicators of certainty are unbalanced. In such cases, the emerging reality defines its determination over the combinations of multiple de facto relations. That being the case, should political philosophy overlook the religious foundations of society, as it investigates the political principles of modern society? Lefort claims that the belief that the religious foundations of society cannot be isolated from its relations to politics, is grounded on the idea that no human community can be established, based on its own immanence (Lefort, 1988:229). According to him, this idea can be approached from two aspects: First of all, we can argue that the claim of a society restricting its own founding principle with its own limits only, is deceptive. In this case, we also would have to claim that as democracy raises this deception, it simultaneously destroys former certainties and initiates an experience, where it constantly searches its own foundations.

Secondly, we can argue that religion enhances the primitive representation of “One” and renders it a prerequisite for the unity of humanity. In this case, we would also have to ask ourselves as to why we are in need of such unity. Could it be because of the contradiction that stems from divisions and conflicts? What kind of an image of a society does the philosophical idea of “One” accompany? Why is the principle of division reflected onto the material order of interests, whereas the principle of oneness is obscured behind spirituality?

### 5.3. Is a Distinction between Politics and Religion Possible?

In order to find answers to these questions, a distinction must be made between politics and religion, according to Lefort. Furthermore, the principle of “Oneness” is constantly being reproduced at the very heart of modern democracy, according to him (Lefort, 1988:230). As a result of the symbolic growth, accompanying the new notion of power in democracies, concepts of state, people, nation, homeland and humanity gain new meanings. These new meanings are procured after having passed through functions we call “shaping” and “staging” and the process of “making sense”. As a matter of fact, it all comes down to identifying whether these concepts have religious foundations or not.

In a society, based on individual liberties, Christianity creates a feeling of unity, brotherhood and unconditional submission to a moral principle by eluding the oppression of needs and individuals’ finiteness. At the same time, Christianity lends a shoulder to state service and citizenship ethics. According to another view, Christianity has lost its religious sensitivity and turned into a sort of national and humanitarian love. As per the first view, it has social morals and state have religious foundations. As per the second view, on the other hand, social morals are self-sufficient, for they have become a new religion per se. However, the common ground of these two views is that all social roots, feelings of sharing and belonging stem from a religious sensitivity.

However, Lefort disagrees with both views. Accordingly, the concept of people in democracies is based on an ambiguity in meaning, which does not associate with religious concepts. An identity pole must be established to position people at a subject status. The people must seize sovereignty and set forth their will. As the ruling power enacts on behalf of the people and politicians try to mobilize people constantly, their identity remains tacit. The subject status of the people can only be defined via legal structuring and at the point, where their will is revealed, the people are reduced to a mere numerical element (Lefort, 1988:230).

We encounter the very same ambiguity in religious representations and the concept of state. When we claim that it is a force that is beyond state, we would also be saying that it is a *raison d'être* in and of itself. We would be saying that without the state, the harmony and continuity in society would be removed, thus unconditional submission to the state is necessary and personal interests must be subjected to mandatory needs. Despite all these discourses, we would fail to see that democracy unlinked itself from political power and the institution of state. Consequent to this whole process, the state acquires that magnificent power of its. What Lefort means by “magnificent power” is the ability to organize all social activities and relations as per its own interests, thanks to its characteristic impersonality. Even going one step further, it can create the illusion that it is, in fact, largely individualistic and ensure that all individuals can assume its own will as their own. Although the reason of state may conclude in absolutization, it is not powerful enough to have its authority accepted without exceptions. That is because it still depends on the existence of the individuals and groups of civil society.

Another concept redesigning the link between politics and religion is the concept of “nation”. Lefort finds this concept paradoxical. The concept of nation offers a collective identity as an independent concept from the religious phantasy, intermediating with a master from a time outside of us. But it is also contained in this very same identity. The nation remains a fluid representation. The root of the nation and the direction of its future always depends upon the decisions of its social actors and are constantly changed by way of them.

Perhaps more than any other, the idea of the nation urges us to make a distinction between the symbolic, the ideological and the religious. (Lefort, 1988:232)

The reference of power, being an empty space, the constantly repeated social division experiences and the movement that ceaselessly updates images of people, state and nation

make it harder to analyze modern democracies. Failed to be embodied in a prince, concepts of society, people, state and nation acquire a new power and become new poles, where the identity of the society is determined. People also become fictional as per this mentality, reducing power to merely an instrumental function. The masking of a contract, which ensures the inclusion of minorities to a government, established by the majority, is only possible with a configured image of people. The new reality is the unity of individuals, ideas and interests. Within the scope of this point of view, the “oneness inside” is replaced by the “division inside” (Lefort, 1988:232).

A new religion emerges, along with the new sociability, which cannot be described in certain terms. According to Lefort, there is a serious difference between claiming that people survive with their own traditional forms in modern democracies and claiming that a dead fire can be rekindled. “It is, moreover, worth asking, as Merleau-Ponty used to ask, whether anything in history has ever been superseded in an absolute sense.” (Lefort, 1988:233) The concept of symbolic power of democracy does not make sense or shape social divisions, which incur a de facto conflict in the society. In cases, where this conflict reaches extremes, representation that may acquire social unity and identity are attributed a fantastic power and totalitarian adventure begins. Totalitarianism has two separate forms. One is communism, where the image of people is actualized with the blessing of proletariat and humanity is redefined. The other is fascism, where the image of people is actualized with the blessing of the nation and race is redefined. Both have multiple common grounds: Both of them bestow upon a material reality to power; both of them provide a “body” for the society; both of them bring law and knowledge in line with the power; both of them deny social divisions and both of them wish to earn certainty to their mundane experiences.

For Lefort, the totalitarian regimes represent the peak of a project, which began to take shape in the 19<sup>th</sup> century. This project aims to create a society that can organize itself and

reflects the technical reason onto ways of social relations. This requires a type of “social raw material” or “human raw material”. Said project involves ideology and religion with two separate roles. Religion is refused, for it includes a “completely different space” and it is reactualized with the task of “mystical oneness”, ensuring the representation of the oneness of a body, which can be a part of the regime’s leader. Individuals, on the other hand, become microbodies.

Ideology also requires social totality. Society must be an organism, the pieces of which function altogether. Such a society does not need an external reference to ensure its own totality. However, when things become reversed and awry; for example, when Communism collapsed and people were divided, we can see that former religious beliefs also return with democratic interactions (Lefort, 1988:234).

#### **5.4. Divinity – Politics**

Lefort questions whether the language he used in his analysis up to the point, where he approaches the relationship between religion and politics, is appropriate or not. According to him, Christianity is fundamentally based on a narrative. However, the political elements it involves still cannot be overlooked. For example, Dante established his Defense on a universal monarchy. He was embodied in human form after being born as the Son of God and chose the period, when all humanity was united under Roman Empire. Despite the existence of this and many other political images, Lefort objects the exclusion of political elements from holy books. Religious foundations of political order can only become legible with the formation of a link between a religious institution and a political one. In this case, Lefort would investigate the propriety of the question, “whether or not philosophy bears the traces of the theological – political schema at present, under religious faith, as of the moment it claims to have noticed the religious notions within politics” (Lefort, 1988:236).

For Lefort, one of the studies, legitimizing the aforementioned question belongs to Michelet. As Michelet states in *“Introduction à une histoire universelle”*, he believes that the French Revolution is the heir of the mission, fulfilled respectively by Christianity and monarchy. The Revolution carried out the collapse of Antique Regime. He also claims to critique the theological – political formation, initiated by the Revolution. Yet, he also keeps on utilizing theological – political categories.

In his analysis, Michelet describes the constant tension between the idea that religion is the ultimate horizon of humanity and the idea that rights are the ultimate resources for humanity to recreate itself. Accordingly, both ideas designate a notion of rooting at a particular time and a particular place. Tradition consistently contradicts itself. Authority and being freed from authority arise from said contradiction. The introduction of the text deals with monarchy, providing conditions for equality and the virtue of gradually homogenizing the society, while it also fulfills activities of leveling and centralization. For Michelet, Christianity is a religion of equality and brotherhood, based on love for humanity. He borrows from Guizot the idea that the old monarchy is not needed as a result to the formation of a new society and from Bollandine the idea that social institutions are established on Christian values and reads the history of France from religious and political points of view. Michelet posits that “the general sociability sense”, which is a distinctive characteristic of France, emerges in this context. There are two principles that bring together people during a revolution and despite all of their differences: The principle of material unity and the principle of spiritual unity. The Revolution occurred at a given time, in a given place, but Michelet states that “The Revolution itself is above time and space. Much like the arrival of Christ, it both witnesses the totality of time and at the same time, removes it. Despite initiating a new age, it is away from all temporary determinations. It represents a spiritual unity that allows humanity to control its own existence. Thanks to Revolution, humanity rises above itself and as of that moment, it

can only connect to itself from that altitude. A turnback is not possible anymore (Lefort, 1988:240).

Just like the Revolution, the people are also divided within existence. They exist at a time and place until a certain point. They may fall into error and become divided. However, they gain their true identity in their extratemporal existence and reveal the aspects of theirs that do not err. Once reaching this status, People replace the “King”. When Michelet claims that people are the true King, the theological-political myth comes to life again:

Until then, unity had been based on upon the idea of a religious or political incarnation. A human God, a God made flesh was required to unite Church and State. Humanity was still weak, and placed its union under the sign, the visible sign of a man, an individual. From now on unity will be purer, and will be freed from this material condition; it will lie in the union of hearts, in the community of the spirit, in the profound marriage of feelings which joins each to all. (Lefort, 1988:241)

Lefort likens the language Michelet used to the one that positions the King in the Middle Ages as the dominant tool between the law and people; the law as the dominant tool between reason and equality. According to Lefort, Michelet continues to take advantage of the theological – political idea, which he wants to break; despite this, Michelet has been one of the few thinkers, who were able to clearly see the symbolic function of the power in his time, shaping social relations. Michelet decrypts this symbolic figure by transferring it elsewhere than its own record. In this new record, the main factor behind dominance and the organization of institutions is the most obscure and private element, underlying the power’s representation and position. According to Lefort, Michelet discovered the mystery of monarchic embodiment. The unconscious representation behind the conscious representation of the Holy King, drawing its power from Christ and rendering justice visible in its form, is

the social image that is embodied in the King's image. Members of the society are so mesmerized by the holiness that was embodied by the King that they establish their oneness over him (Lefort, 1988:242).

Lefort states that a remarkable aspect of Michelet's analysis is the two arguments, which can come together and stand without collapsing. One has to do with political law and religious law in the Antique Regime. For that matter, one arises from the other. The principle, shaping the system itself and its institutions in monarchies, is Christianity. Michelet immediately asks: "Was the Revolution Christian or Anti-Christian?" (Lefort, 1988:243). The schema for Michelet's perspective is quite simple. Christianity is the religion of blessings, freedom and salvation. Humane monarchy, on the other hand, is set on the image of divine monarchy and both of them are governed via a chosen one. Hidden behind a mask of justice, the gratuitous power already replaced the depressing organizations of political institutions within society. What supports social organization, divisions among organizations and hierarchy, on the other hand, is the "mundane principle". It embodies what is just and what is not, making sure that within the course of life, they are transferred from one generation to the other. According to Michelet, the theological – political system glorifies the relation between man and God and the love between man and King. The spiritual grasp of justice materializes. Law is replaced by love. Demanded by the church, love also reveals the hatred the order carries: Inquisition, burned books and humans... Michelet claims that "compared to revolutionary terror, the latter causes us to smile." (Lefort, 1988: 243)

According to Lefort, the second part of the text's introduction, on the other hand, has an entirely different algorithm. The power of the King does not only stem from the gratuity from Christianity. There is also the power, created by his subjects. It is the subjects that create the legends concerning Kings. They are grateful for the King's existence, far from seeing his human aspects. What makes people happy and mesmerizes them is the combination of a

natural body and a supernatural body. In this context, Michelet covers the imprisonment of Louis XVI. The dynasty was returned to where it was supposed to be with this imprisonment – back to the people. Moreover, this imprisonment caused the mystery of monarchic embodiment to be illuminated (Lefort, 1988:245). The death of Louis XVI represents the death of monarchy.

For Lefort, this image unmasks the importance of body politics. The notion of division in body politics emerges with the coexistence of the mortal and supernatural existences in the king's body. The King is simultaneously the body of a person and the body of society. Every step towards immanence is also taken towards transcendence. Each effort towards describing the boundaries of social relations requires the internalization of 'ONENESS'. Each initiative towards objectivity requires the personalization of impersonal beings. The operation of the mechanism of embodiment causes us to put religion and politics on top of each other, when we merely thought that we were working in spheres concerning only one. Still, Lefort asks whether or not we can claim that the democratic societies, which started to take shape in the 19<sup>th</sup> century, began to break down these mechanisms of embodiment. The function of removing the legal entity of the power moves with the removal of the legal entity of thought and sociability. However, here is the paradox: the roots of each idea that reformulates the state, the people or humanity, date back. The ebb and flow relationship between religion and politics may never be eliminated at all. In his detailed examinations on politics, Lefort approaches violence within the scope of revolutionary terror only and attempts to show over the ambiguous relationship in-between that a sharp distinction between political spheres and others is not possible. Still, another thinker, Giorgio Agamben, set forth more clearly the relational dimension of politics with other spheres within the scope of violence and the possibility of a new and philosophical perspective.

## 6. CHAPTER 6: ANOTHER PERSPECTIVE IS POSSIBLE:

### RELATIONAL GROUND

#### 6.1. "Exception"

As we have enquired in the Introduction, as political philosophy and violence, one of its fundamental concepts, are covered, is it possible to reapproach these concepts at a point of intersection of relational ground and all dimensions concerning human beings, as another perspective? Giorgio Agamben is the thinker, who stands closest to providing a positive response to this question. Especially in analyzing the relationship between violence, politics and law in "Homo Sacer", Agamben carries the thought of Arendt one step further and reveals the current predicaments of today's Western democracy from a contemporary point of view. The core of his theory consists of two significant concepts: Exception and Homo Sacer.

The understanding of politics in Ancient Greece is based on a very fundamental distinction: The distinction between Zoe and Bios. Zoe signifies pure life; the biological life that encapsulates all humans, animals and living beings; whereas bios refers to a way of life; an activity. Zoe belongs to the field of obligations, oikos; while bios belongs to the political sphere, to agora, to police. Along with modernity and as a result of the emergence of Nation States, land based states turned into population based states and consequently, a new notion that Foucault calls "biopolitics" arose.

According to Foucault, the "threshold of the biological modernity" of a society is the point, at which the individual, as a simply living body, and the kind, are included to the political strategies of the society. (Agamben, 2017:13)

Foucault moves in two different dimensions, while analyzing the penetration of the state or the ruling power into the bodies of subjects, instead of the law or institutions, with respect to its instruments and manners. One is the “*political techniques*” such as police, science and so forth, which is undertaken by the state and hosts the natural lives of individuals at its core. The second one is the “*techniques of the self*”, which allow individuals to connect with their own identities, consciousness and the external power during their subject(iv)ation process. These two dimensions intersect at multiple points and the concept of Modern Power rises on a real “*political dichotomy*” that comprises of both individualization and integration (Agamben, 2017:14).

The point in the theory of Foucault that Agamben considers to be ambiguous is the subjective aspect of the emergence of power. As the object of all these processes, the subject reveals a type of voluntary slavery and the intersection point of power and voluntary slavery must be pinpointed (Agamben, 2017:15).

Before examining Agamben’s theory in further detail, his concept of “exception” must be clarified. According to Agamben, “exception” is a special state that cannot be classified and does not accept general encoding. It is most visible in cases when rules of law can be valid. Exception is included by being excluded within the law. According to Agamben, bare life continues to exist as an exception per se within politics and this is exactly why one must question whether zoe should be politicized or not.

How is it possible to ‘politicize’ the ‘natural beauty’ of zoe? Before all else, does zoe need to be politicized really; or is politics not really at the very important core of zoe in reality? The biopolitics of both modern totalitarianism and mass hedonism and consumer society represents the answer to these questions. (Agamben, 2017:20)

Agamben defines the concept of sovereignty via the state of exception as well. Accordingly, the sovereign is the person, who was authorized by the legal order to determine the state of exception; as such, the sovereign is both inside and outside of the legal order.

Agamben calls it the “*the sovereign paradox*”:

While the sovereign possesses the legal authority to suspend the validity of the law, he or she would also exclude him/herself outside of the law in legal ways. Thus, we can express this paradox as follows: ‘The law is above him’ or ‘I, the Sovereign above the law, declare that nothing ever is above the law’. (Agamben, 2017:25)

What is important for Agamben is the role the sovereign plays in designating the boundaries of the legal order. The function of the concept of exception in the legal order is *to define*. In order to define and elaborate the general situation in terms of what it is, one must also elaborate on what the exceptions are. Order must preside for rules to exist. In the event of chaos, rules will lose their validity. According to Agamben, it is the sovereign that must decide on whether or not the order is efficient in actuality. The phrase “neither... nor...” that is used when defining God within the scope of negative law, is an explanatory method, carried out by suspending the adjectives for God. Similarly, exceptions explain rules by suspending them within Positive Law. Exception does not exist outside of the legal order; on the contrary, it is included through exclusion. According to Agamben, this is a method that is useful in expanding the area of activity of the legal order:

The law does not disobey the rule; instead, the rule suspends itself and causes an exception and as it continues to be an exception, it first establishes itself as the rule. The special “Power” of the law is hence based on the capacity of sustaining itself in a relation with externality. Therefore, we can call it a relation of exception, where something is

included in the manner of extreme relations through exclusion.

(Agamben, 2017:29)

Agamben highlights that the legal order and the sovereign rule emerge as exceptions early in the political structure. For both cases, this moment is ambiguous and indeterminable.

The very first activity of the law is not to give orders or enact laws; *“before all else, it must create its own field of reference and put this reference into order.”* (Agamben, 2017:38)

Agamben finds the relation between the law and violence in this very action at the starting point.

It is quite an essential relation:

The legal order is not, as of its initial state, the punishment of a violation; instead, it establishes itself by repeating the same action without sanctions. In other words, legal order is an exceptional situation. It is not the punishment of the first [violation] action; instead, it represented the inclusion of said action into the legal order, i.e. violence as an eternal legal truth (permittit enim lex parem vindictam, “because the law allows just retaliation” (Pompeius Festus, De verborum significatione, 496.15).

In this sense, the first state of the law is exception. (Agamben, 2017:38)

Within the scope of the state of exception in the beginning and from the perspective of its relation with the law, Agamben defines sovereignty as *“an original structure”* that ensures the formation of a link between the law and life (Agamben, 2017:40).

Sovereignty is a state of uncertainty between nature and culture, violence and law, and what comprises the sovereignty-specific violence is this uncertainty per se. (Agamben, 2017:49)

## 6.2. Constitutionalization –The Double Aspect of Violence

According to him, the area, where the sovereignty paradox is most visible, is the legal order. Underlining the conceptual difference between the constituting power and the constituted power, Agamben states that a positive relationship between these two powers cannot be established. He explicates the underlying reason with a quote from Burdeau:

If we want to attach its real meaning to the separation between constituting power and constituted power, then we have to place these two on two different levels. Constituted powers are only earned within the State: They are already things that cannot be thought of separately than the established constitutional order and as such, need the State structure, for they reflect its reality. The constituting power, on the other hand, exists outside of the State. This power does not owe anything to the State and exists without it. It is a river, the water of which can never be exhausted.” (Burdeau, *Traite*, s.173) (Agamben, 2017:54)

This paradox Agamben calls the sovereignty’s paradox represents the area, where the relationship between sovereignty, law and violence surfaces, within the scope of constituting power. While the constituting power is legislative power itself, constituted power is positioned across constituting power as the power that protects the law. This means that the authority of constituted power in exercising violence is being legitimized by constituting power. Moreover, it means that there is an ambiguous and ongoing relationship with constituted power (Agamben, 2017:55). Despite the existence of theories concerning constituting power’s self-transformation into constituted power to prevent its elimination and to ensure its continuity via the concept of permanent revolution, whether or not the parliamentary systems are the manifestations of the constituting power in democracies is still a controversial topic. In this context, Agamben argues that totalitarian state experiences, where state and party are integrated, are notions that must be

emphasized in this discussion (Agamben, 2017:57). He uses Benjamin's "Critique of Violence", which we covered before, to deepen his analysis.

In Benjamin's analysis, the dialectic between the violence that enacts the laws and the violence that protects said laws manifests in the form of oscillation. Therefore, a need for a third person arises to break the cyclical dialectic of these two types of violence. (Agamben, 2017: 81)

He also criticizes Benjamin, for he designates "divine violence" as the third person:

In reality, Benjamin offers positive benchmarks as to how this person is going to be recognized and does not even accept that it may be recognized in tangible cases. There is one thing for sure here: This third factor neither legislates, nor protects; it merely dismisses the law (*entsetzt*). Therefore, it may give way to even the most dangerous comments. (Agamben, 2017:82)

Agamben draws attention to the conceptual proximity between Benjamin's divine violence and its ambiguity and the state of exception in his own analysis. The state of exception or the sovereign violence neither legislates nor protects the law; but suspends it, much like the case with divine law (Agamben, 2017:82). However, he still underlines that there is a fundamental difference between divine violence and sovereign violence: Sovereign violence creates an ambiguity between violence and law, illustrating that this dichotomy cannot be separated, which is how he conducts his own separation. Thus, he ensures the continuity of the bond between violence and law. Divine violence, on the other hand, dismisses violence by cutting off this bond completely (Agamben, 2017:83). According to Agamben, Benjamin was also aware of the difficulty of defining divine violence; therefore, instead of analyzing the

concept itself, he focused on “bare life”, which is the carrier of the bond between violence and law:

The dominance of the law over life (liveliness, vitality) is not only dependent on bare life; at the same time, even the fragmentation of legal violence, which is the target-object of attempts in a sense, “stems from the culpability of the bare natural life”. “Because of this guilt, the innocent and unhappy life is referred to punishment, which would ‘save’ bare life from culpability – and at the same time, save the culpable from the law without a doubt, although perhaps not from said wrongdoing.

(Agamben, 2017:84)

### 6.3. Homo Sacer

As he continues his analysis, Agamben covers the concept of *bare life* as the carrier of the bond between violence and the law or “Homo Sacer”, which can be found in Ancient Roman Law, placing them at the heart of his theory.

Homo Sacer in the Roman Law represents a person, who is judged due to a crime he or she committed. Homo Sacer cannot be sacrificed, but a person, who kills Homo Sacer is not accepted to have committed murder either (Agamben, 2017:90). Agamben thinks that the problematic nature of the concept of Homo Sacer, described to be both killable and sacred at the same time, is because it is a limit concept.

It appears that we are against a limiting concept in the Roman social order; this is a concept that can never be fully explained, as long as we are within *ius divinum* [divine law] or *ius humanum* [civil law]. On the other hand, the concept of homo sacer may help us illuminate the limits between these two laws. (Agamben, 2017:92)

For Agamben, the ambivalence of sacredness or in other words, the vague use of the concept of sacredness is based on a mythical information. Said information is formulated for the first time in William Robertson Smith's book, *Lecture on the Religion of the Semites* (Agamben, 2017:95). While there are taboos that determine the rules of sacredness in Smith's work with respect to Gods and worshipping them, there are also those that designate the rules of impurity (Agamben, 2017:95). Concepts of sacredness and impurity, which are intertwined, also create an ambiguous sphere. "Forbiddance" is born from this field of ambiguity as well. According to Agamben, the concept of "homo sacer" with taboos of sacredness and forbiddance at its core, is beyond being a merely religious concept and gains a legal and political dimension. Agamben states that the violence homo sacer is exposed to due to its definition is a new type of violence:

The violence here – permissibility of being killed by everyone – is neither a victimhood, nor a murder, nor the execution of a death row inmate nor disobeying the sacred. This violence, which stays out of the penal forms of both civil law and divine law, creates a brand new humane area for action; this area is neither the area for *sacrum facete* [sacred affair] nor for profane action. Now what we are trying to understand here is this exact field. (Agamben, 2017:103)

Homo sacer is an example of exception in and of itself. While killing a free human being is considered murder within the legal order and under normal circumstances, the person who kills homo sacer is not considered a murderer. However, there is no divine aspect in killing homo sacer either. This means that the deceased is not viewed as a victim. Thus, a double exception emerges; the perpetrator is excluded from both divine law and civil law.

Just as the law is not in effect anymore in the case of sovereign exceptions and exceptional cases, and it becomes in effect once withdrawn from this situation; homo sacer too belongs to God with its unsacrificability and is included in the society with its killability. Sacred life is one that cannot be sacrificed, but can be killed. (Agamben, 2017:103)

#### **6.4. Exception and the Determination of Political Sphere**

As Agamben mentions the symmetry and structural similarity between the concept of homo sacer and sovereign exception, he also underlines the significance of the role these two representative personalities play in Western politics: *Designating the boundaries of the political sphere* (Agamben, 2017:105). Thus, bare life becomes the object of violence. Within the sphere of certainty that emerged as a result of some regulations, a human being that can be killed by everyone was defined and the commandment “thou shalt not kill” became void with this terrain of uncertainty.

Instead, this sphere points to a human life that anybody can kill – an object of violence that surges outside of the legal sphere and the victimhood sphere. This double surge creates a terrain of ambiguity between the profane and the religious and even beyond them. (Agamben, 2017:107)

According to Agamben, the notion underlying the sovereignty of all sovereigns, whether it is a father figure or emperor, is their authority to exercise violence and even kill:

The imperium of the governor is nothing more than the vitae necisque potestas of the father, spread throughout all citizens. Let us rephrase it in all clarity: The most fundamental basis of political life is the politicized

human life that can be killed with its feature of being killable.(Agamben, 2017:110)

We can think of the mandatory military duty in today's political structure as a concrete example of this situation. Every male citizen must fulfill his mandatory military duties when he comes of age. During this time, he would be ready to kill and be killed at the same time as bare life for the sovereign power. There is no military or political institution that can be held accountable for when soldiers die while fulfilling this involuntary and public duty. In other words, no institutions or any of the superiors can be blamed with causing a casualty. However, these deaths are not qualified as "victims" either, because they were deemed worthy of the rank of martyrdom. Being a martyr represents a much higher rank in the divine order than being a victim. According to Agamben, this is the price male citizens pay for participating in the political order.

It is as if the male citizens, as the cost of their participation in the political life, must become the objects of an absolute killing authority and it is as if life, in order to be within the city, must be killable with a double exception and must not be sacrificed at the same time. (Agamben, 2017:112)

However, in Ancient Greece, politics demanded that domestic life and public life be separated in definite terms. While *zoe* and *bios* were concepts that should have been disconnected, politics can exist in a sphere of uncertainty today, according to Agamben, where *zoe* and *bios*, on the contrary, exclude each other by their mutual inclusion.

The bond of sovereignty dates back further than that of positive rule or that of social pact; however, it is merely one of disconnection. From the point of view of sovereignty, what is brought and produced by this

disconnection (in other words, the bare life residing in the desolated terrain between home and city) is the very first element of politics.

(Agamben, 2017:112)

The body of the sovereign, much like the body of bare life, has a double entendre. The physical body and political body coexist. In a rather lengthy section dedicated to the funeral ceremonies of Roman Empires and French sovereigns, Agamben draws attention to the similarity between the king's political body and homo sacer.

What is of interest to this here is not the view that deems the killing of homo sacer lighter than murder and the killing of the sovereign heavier than murder. What matters is that in none of these, killing a human being represents a murder crime. While reading the legislation of Charles Albert, King of Savoy, 'the sovereign is sacred and sacrosanct', we must see that the adjectives reflect the sacredness of the life of homo sacer, potentially can be killed by anyone without committing murder.

(Agamben, 2017:126)

One of the most striking details regarding homo sacer is that it was in existence long before the social-legal order. Agamben traces homo sacer back to the roots of "wargus" figure from Germanic antiquities.

Ancient Germanic law was based on the exclusion from the society of those, who violate the law, as per the concept of peace (fried); this meant that those who violate the law became friedlos (peaceless) and everyone was able to kill human beings without committing the crime of murder.

(Agamben, 2017:129)

The remarkable element is the finesse in representing the socially excluded person with the figure of a wargus. If the excluded was a human figure, its killing may have been deemed a murder crime. Or if it was depicted as a wolf only, it may have looked natural, for it would have been sacrificed like any other animal. And yet, wargus can be killed, but cannot be sacrificed as neither an animal nor a human being. Thus, it becomes the perfect example of the notions of threshold and uncertainty in Agamben's theory. Synthesizing the wargus figure and Hobbes' myth of "*state of nature*", Agamben once again stresses that the essence of the concepts of sovereignty, state and politics is "*bare life*" (Agamben, 2017:131).

### **6.5. Homo Sacer as the Object of Violence of the Sovereign**

According to Hobbes, the unique element of sovereignty is bare life, which is why the ruler can have the right to punish (the right to kill) that no one else has:

That was because the Subjects do not give this right to the Ruler. However, as Subjects relinquish their own rights and the Ruler deems it appropriate, protecting everyone empowers the Ruler: This means that this (right) is not given to the Ruler, it is left to the Ruler and only to the Ruler: much like the case with simple Nature and the borders (except for the borders set by natural Law itself) that protect everyone against their neighbors – in absolute." (Leviathan, s.214, *vurgubenim*). (Agamben, 2017:131)

An important distinction underlies the foundation of this exceptional right, stemming from the state of nature: When we consider them as singular persons, nobody accepts being the subject of violence, just because they are subjects, and they would not transfer their rights only to submit to it. Therefore, citizens' submission to this privileged situation as the subjects they are, does not guarantee that they will not resist violence as individuals. According to Agamben,

in this context, politics is not the first establishment or a structure, on which building continued, along with its sovereign institutions in the historical sense. On the contrary, there is a constant configuration, a dynamism in question. Perhaps this is how political institutions preserve their figural persistence and are exempt from all temporal changes. Sovereignty owes its persistence to the existence of bare life:

...Besides, sovereign rule refers directly to the life of citizens (not their free will); therefore, the life of citizens emerges as the first element of the cluster of politics as the Urphänomen of politics. Still, this life is neither a natural, reproductional life (i.e. Greek *zoe*) nor a certain lifestyle (i.e. Greek *bios*). Instead, this life is the bare life of *homo sacer* and *wargus*; the terrain of ambiguity between human and animal, nature and culture and of constant transition. (Agamben, 2017:134)

The act of forbiddance forms the bond between the sovereign power and bare life. Therefore, Agamben denies all philosophies that define politics via contracts completely. According to Agamben's view, forbidding constantly operates in a dubious terrain between *nomos* and *physis*. Along with the contractarian perspective, the weakness of Democracy also surfaces:

The mythical knowledge of the Abyssinian, articulated within the scope of contract rather than prohibition, imprisoned democracy to weakness at any time and any place, where the sovereign encountered an issue with power. It also rendered modern democracy (structurally) destitute from developing a political thought that is independent from the form of State. (Agamben, 135)

## 6.6. Modern Biopolitics – From Bare Life to Political Subject

The primary object of sovereignty, bare life is transformed into a political subject with modern biopolitics. In this context, Agamben compares the philosophies of Foucault and Arendt. Foucault emphasized mental institutions and prisons as spatial examples of biopolitics, but did not analyze concentration camps. Arendt, on the other hand, analyzed concentration camps and totalitarian state, but never really included the biopolitical perspective. Agamben aims to conduct a more detailed analysis by combining these two different points of view at the center of bare life (Agamben, 2017:145). Agamben points to Karl Löwith as the writer, who pointed out the relation between the totalitarian state structure and democracy for the first time. Repeating his citation of Löwith at this point may be illuminating to have a better grasp on the development of Agamben's theory:

Since the liberation of the third class, establishment of bourgeois democracy and its transformation into mass industrial democracy, the process of eliminating political differences and the lack of making any decisions about them has come to a point, at which this would be in complete opposite: The point of complete politicization of everything and even the seemingly neutral areas of life [totale Politisierung]. As a matter of fact, a laborer state in Marxist Russia that was "state-oriented more intensively than all types of absolute monarchies"; a corporative/incorporated state that imposed a normative regulation on not only the national work life, but also the "after work" [Dopolavoro] divisions of life and all spiritual life in fascist Italy and a fully integrated state that politicized even the life, which remained private until then, with racial laws and other similar [regulations] in National Socialist Germany, emerged. (Der okkasionelle Dezionismus, s.33) (Agamben, 2017:145)

While protection of individual rights and differences are prominent in Modern Democracy, this development brings along the change of private sphere, gradually becoming more of an object of politics. Thus, while it creates more room for individual liberties, it also clears the path towards totalitarianism. The ambiguity of the borders between private sphere and public sphere start to generate the area of exception of biopolitics for all of everyday, natural life, consequent to individual rights, becoming prioritized political purposes. This, in turn, causes totalitarianism to gain mobility within democracies. For Agamben, this dilemma is underlied by the notion of uncertainty:

Traditional political divisions (such as Right and Left, liberalism and totalitarianism, private and public) lose their certainty and clarity, as soon as they select bare life as their main reference and enter into a terrain of uncertainty. Similarly, this is what also underlies the transformation of governing classes in former communist countries into the most extreme racists in an unexpected way (much like the Serbian “ethnic cleansing” programs) and the resurrection of fascism in Europe in various forms.

(Agamben, 2017:147)

Agamben defines this extreme state of biopolitics as “thanatopolitics”. While this definition appears to be exaggerated at first, it is also quite suitable for the totalitarian experience that resulted in concentration camps. Once politics turns into biopolitics and humans become political subjects/objects as bare life with their physiological existence, the power to determine death will be the most important instrument for the sovereign power. From this perspective, Agamben argues that concentration camps are the obscure paradigms of modern political spaces (Agamben, 2017:148).

The human being, as bare life, became the object of politics for the first time with the mandate of *habeas corpus* in 1679. This mandate was issued by judges and declared that in

order for a detainee to be legally detained, this person must be brought to a designated place at a designated time in person (Agamben, 2017:148). According to Agamben, habeas corpus also identifies the boundaries of the sphere of freedom for modern democracy.

The new subject of politics now is neither the free man and the enclosed status and privileges nor only the homo, but the corpus. Now democracy is born with the assertion and presentation of this exact 'body': Habeas corpus ad subjiciendum; i.e. 'you will have to have a body to display. (Agamben, 2017:149)

But this formula European democracy found against absolutism would have been both a strength and a weakness for the West. This is because sacred life would not be destroyed as it is. On the contrary, it would be fragmented into pieces, spread through the bodies of people and become the primary object of political life: Both the subject of the sovereign power and the carrier of individual liberties (Agamben, 2017:150).

Similarly, Hobbes relates the concept of equality to the killability of human beings, based on the human body's existence with a double entendre in *De Homine*:

If we look at adults and consider the fragility of the unity of human body (the death of this body means the end of all power, might and strength), along with the ability of the weakest human to easily kill the strongest, there will be no apparent reason for any person to trust his/her own power and assume that he or she is naturally superior to others. Humans, who can do the same things to one another, are equal humans. Those, who can do the biggest thing – that is to say, kill – are equal humans amongst themselves. (*De cive*, s93) (Agamben, 2017:151)

Equality in people, as pieces of a political whole, is established in the capacity of killability. In Western democracies, when bare life became the primary object of the political sphere, it also became the subject matter of rights and exceptions. In parallel with the establishment of Nation State, Declaration of Rights of Man and Citizen is issued in 1789. Agamben criticizes the simultaneous use of the terms of *man* and *citizen*, pointing out the uncertainty that emerges in consequence. If these two terms are used to point to two separate and autonomous beings, then it would be meaningless for them to be used in one declaration. On the other hand, if the term citizen is based on the assumption that it already includes man, then whether or not a unitary system is formed will remain uncertain (Agamben, 2017:153). Arendt also criticizes the declaration and states that this declaration lost all its validity in the face of the refugee issue:

Arendt calls it “the understanding of human rights, built over the hypothetical existence of the perfect human being” and adds: “as soon as people, who believe in this, came face to face with those, who really lost all of their other qualities and private relations – except for still being a human – this collapsed. (Origins, s.299) (Agamben, 2017:153)

In modernity, you have to be a citizen of a nation state, in order to have human rights. The ongoing refugee issues today and the inhumane occurrences in camps are proof that the critiques of Agamben and Arendt are still in good standing. Agamben posits that this issue is underlied by the transfer of human rights of bare life to citizens, hence their lack of validity. This process also reveals the process of politicization of bare life step by step:

Article one says “human beings are born and live freely and equally as per their rights”... However, the natural life itself, which was placed at the core of the order of modernity as the beginning of biopolitics was also vanishing by being transferred to the citizen figure, whose personal rights

are “protected”. (Article two stipulates: “The aim of all political communities is to protect the natural and irrevocable rights of people”). The reason as to why the Declaration can bestow sovereignty upon “nation” (Article three stipulates: “The principle of sovereignty, in essence, belongs to the nation”), is that this factor of birth is already engraved at the heart of the political society. Thus, the nation – and the etymological root of the word nation is being born (nascare) – would be closing the circle, which begins with the birth of one. (Agamben, 2017:154)

### **6.7. Threshold**

This process, in which bare life becomes the primary object of sovereignty, improves individual rights and liberties, it also pioneers a dangerous formation that allows their complete suspension: Bare life also becomes the carrier of sovereignty at the same time. Agamben reminds that sovereignty in nation states use bare life based on the element of birth as a basis and not “humans as free and conscious political subjects”:

The birth directly becomes nation [the person becomes a citizen as soon as he or she is born]; so much so that there can be no area for distinction between these two terms [scarto]. Rights can only be given to people (and these people never emerge only as people) if and only if the title of citizenship exists (or they would be born with said rights as citizens). (Agamben, 2017:155)

Thus, the path towards the essence of totalitarian state, i.e. the principle of “blood and soil”, would open. Starting to define who can be a citizen and who cannot from now on, the

totalitarian sovereignty may finally reach a point, where even the bond of birth is deemed invalid:

As per the Nuremberg laws, citizenship was something, which individuals had to prove they are worthy of, therefore, was constantly questioned. One of the very few rules Nazis executed throughout the process of “Final Solution” meticulously was this: Jews were only sent to concentration camps after being stripped entirely of their nationalities (their expatriation from the citizenship they were left with after Nuremberg laws). (Agamben, 2017:159)

The ruling power’s efforts to establish legal grounds to be used in the decision making process regarding who will be a citizen and who will not, is just as astonishing and terrifying. The beginning of this discussion is the notions of suicide and euthanasia as Karl Binding approaches them in his book *“Allowing the Destruction of Life Unworthy of Living”*. According to Binding, suicide cannot be considered a crime, but it cannot be said to be completely irrelevant to the law either; in this case, *“the only option before the law is to consider the living human being as the sovereign of his/her own being.”* According to Agamben, this is the law’s inclusion of suicide via exclusion (Agamben, 2017:164). By looking at the sovereignty of the human being over his/her own existence, Binding concludes that authority may be provided to end the life that is not worth living and therefore, euthanasia must be legal:

Therefore, the basic biopolitical structure of modernity – [that is to say] ruling over the valuableness or valuelessness of life – exists in a good-willed booklet that defends its first legal expression, euthanasia. (Agamben, 2017:164)

With euthanasia, a threshold, at which lively life loses its legal value and hence can be killed without committing murder, is created. According to Agamben, this new legal category coincides exactly with the bare life of *homo sacer*. And this threshold, whether it is modern or not, determines in each society who gets to be “the sacred man” (Agamben, 2017:167).

Moving on from the same formula by which Binding drew the legal structure, the Nazi regime starts to implement the “merciful death” program for mental patients and the disabled. Despite creating an economic and social burden, Nazis continued to implement this program. For Agamben, this was solely political. This way, the ruling power was able to establish its own biopolitics on bare life (Agamben, 2017:170). Agamben describes this phenomenon as “thanatopolitics” and Nazism as “the first radical biopolitical state” (Agamben, 2017:171). Human beings, as bare lives, have thus become objects, the value of which can be calculated.

While Helfrich was saying that the German national assets were around three hundred ten million marks, Zahn was also observing that in addition to this material wealth, there was the ‘living wealth’ valued at about one billion sixty one million marks (Verschuer içinde, *Etat et sante*, s.31).  
(Agamben, 2017:173)

As soon as this new threshold is passed, all science concerning humans become politicizable: Economics, biology, medicine, genetics and so forth. The ruling power spreads throughout all spheres of life and gives itself the authority to organize and govern all things. According to Agamben, the totalitarian experiences of our age are underlied by this new notion, in which life and politics are intertwined (Agamben, 2017:177).

When life and politics combine and start becoming one, life becomes entirely sacred and politics becomes entirely exceptional. (Agamben 2017:177)

The locations, where this change in politics became visible, are concentration camps. Agamben defines camps as the “nomos of modernism”. Accordingly, camps are not mere historical phenomena or past abnormalities. They are “*the hidden pattern (matrix) and nomos of the political space, in which we still live today*” (Agamben, 2017:199). Defined by Nazis as “voluntary exceptional states”, camps are places that were created for exceptional situations, where rights can be legally suspended. However, the state of exception turned into a rule in the camps, which is different for Nazism, compared to other examples throughout history (Agamben, 2017:201).

Everyone, who steps into the camp, would also be entering into a terrain of ambiguity between in and out, exception and rule, legal and illegal; concepts of subjective right and legal protection would lose all their meanings here... That is because individuals in the camp would be stripped from all political statuses and reduced completely to bare life; there was only pure life before the political power here and there was no intermediary between these two. Therefore, camp is the unique paradigm of the political stage, where politics is biopolitics and homo sacer plays the role of the citizen. (Agamben, 2017:204)

In totalitarianism, as extreme structures of integrated state and political power, the legal structure also adapts and changes. The words of Führer become laws per se and the biopolitical body, which is the object of the rule of law, determines the validity of the same rule (Agamben, 2017:206). Paradoxically, what is not political is also determined by politics now. Thus, when politics start to carry out this distinction all the time, the ambiguity that warrants the continuity of this state of exception, would be created, at least in spatial terms:

Camp is a place, where it is impossible to separate truth and law, rule and execution, exception and rule; but still, it constantly separates these two from each other. (Agamben, 2017:207)

Agamben claims that this notion, which he calls *a displacing settlement*, is a hidden pattern that is still being used by politics today:

...in order to recognize the metamorphoses we encounter in forms of zones d'attentes at our airports and ghettos in our cities, we have to be familiar with this structure of camps. Therefore, camp is the fourth and inseparable factor, added to the former trinity of state, nation (birth) and country. (Agamben, 2017:210)

There are three main elements of the Modern Nation State: the "country" as a definite settlement, the "state" as a definite order and the "nation" as the registry of life (Agamben, 2017:208). Agamben underlines that when the political system that is organized as such enters into a time of crisis and at the same time, the State undertakes it as its fundamental duty to track biological life, camps emerge and he calls it as "the moment of fragmentation of old nomos" (Agamben, 2017:209). Bare life in times of Nation States are included in the political sphere with only the notion of birth, whereas today they are at the foundations of politics in a much wider sense and Agamben argues that this new notion cannot be managed with traditional mechanisms. One of the results that arose from the need of a new mechanism is the "Camp". Agamben describes these spatial arrangements as follows:

Before the order without any settlement now (that is to say the exceptional situation, where law is suspended), there is an irregular settlement that corresponds to this (that is to say the camp as a constant place of exception). (Agamben, 2017:209)

And so the camp becomes the fourth element of modern state. Agamben uses the example of ethnic rape camps in Yugoslavia from the recent past. The difference between these camps and the camp experiences in Nazi Germany is quite striking:

If the Nazis could not even think about impregnating Jewish women on the path towards the Final Solution, this was because the principle of birth, which guarantees the deep engraving of life itself into nation-state order, was still valid at the time – even though it was deeply transformed. Today, on the other hand, this principle has entered into a process of collapse and placelessness... The camp that is settled well enough at the center of the city now, is the novel biopolitical nomos of earth. (Agamben, 2017:210)

## 7. CHAPTER 7 : CONCLUSION

Liberty is positioned in Hannah Arendt's philosophy in the actions of humans and in their capability of creating new beginnings. Despite her statement that violence cannot be a political instrument, Arendt still attributes special attention to the phenomenon of Revolution, where it is most visible, within the context of new beginnings. For Arendt, violence is only functional, because it renders the boundaries of the political sphere visible.

Benjamin, on the other hand, approaches violence within the context of law and draws attention to the notion of beginning as well. For Benjamin, violence is an instrument that can be used only through the process of constitutionalization and in order to create a new beginning. Thus, it becomes intrinsic to the legal system with the legislative processes.

Providing a different perspective than those of Arendt and Benjamin, Lefort covers violence via Revolution and specifically reveals the linguistic context. Despite the generally accepted proposition that politics must be established on dialogue rather than violence, we can still see with Lefort's work how violence is obscured within discourse – hale and hearty. While Lefort approaches violence in the political sphere, he does not overlook other contexts either, such as religion, social life and modes of governance. Still, in contrast to all these philosophers, Agamben attempted to approach violence on an entirely new grounds.

Tackling the bond of violence between the ruling power and state of exception via legal and political spheres, Agamben marks that the main paradigm of today's modern cities is the concentration camps and that the bare body became the primary object of the political sphere. In this context, he attempts to designate the new boundaries of politics over the etymology of the word "people". In Modern European languages, the word People signifies the poor, the disinherited and the shunned; at the same time, this word possesses the quality of being a

founding political subject in politics. According to Agamben, such ambiguity cannot be coincidental:

What we call 'people' is actually not a unitary subject, but a dialectical oscillation between two antagonizing poles: One of them has the cluster of People as a whole political body/constitution in one of these poles and the sub-cluster of people with the fragmented crowds of poor and ostracized bodies; the other one has an inclusion with the claim of involving everyone; the other side hosts an exclusion that spills hopelessness; or one side has the collective state of whole and sovereign citizens, the other side has a community with only the miserable, downtrodden and defeated (and the miraculous palace or camp of theirs). (Agamben, 2017:211)

Much like inclusion and exclusion or bios and zoe, the term people contains a dichotomy and a fundamental biopolitical fragmentation in itself. People cannot belong to the cluster, where it is included. It is a notion that constantly must actualize itself, rather than being a holistic and unchanging structure. It must also be constantly revoked to do it (Agamben, 2017:212). According to Agamben, this is quite a radical fragmentation:

What Marx calls in his ideas – although it remains essentially undefined – “class conflict”, which has quite a central place, it is nothing but a civil war that divides all peoples [into two]. This civil war can only end in a classless society or a Redeemed/miraculous kingdom, when People and people overlap and there is no such thing as people anymore. (Agamben, 2017:212)

The purpose of today's modern political systems is to overcome said division. To that end, the excluded people must be destroyed. Agamben is of the opinion that there is a similarity between this purpose and the developmentalist policies of today:

This effort brings together Right and Left, which fell apart in different modes and horizon, capitalist countries and socialist countries within the scope of a project of creating one body and an undivided public, which is ultimately idle, but partially actualized in all industrialized countries. The obsession for development has never been as active as it is in our time; because it clashes with a biopolitical project for creating an undivided public. (Agamben, 2017:213)

According to Agamben, Jews were annihilated in the same way, because they were people, who rejected integration with a national political body. Today, on the other hand, as the democratic-capitalist system creates new and excluded people in itself with the purpose of eliminating poor classes, it also turns Third World people into bare lives (Agamben, 2017:213).

In light of all these phenomena, Agamben infers three conclusions for his theory:

1. *The original/first political relation is the relation of forbiddance (it is the state of exception as the terrain of ambiguity between in and out, inclusion and exclusion). (Agamben, 2017:215)*

With this conclusion, Agamben objects to Hobbes' concept of "social contract" and all the contractarian state definitions that followed. At the same time, he advocates that the State cannot be grounded on concepts such as belonging, identity and so on.

2. *The main activity of the ruling power is to produce bare life as the threshold, where nature and culture, zoe and bios are articulated as the original factor of politics. (Agamben, 2017:215)*

Thus, he claims that the concept of biopolitics lies at the core of Western Politics. Along with this conclusion, the citizenship rights would also become functionless.

3. *The fundamental biopolitical paradigm of the West today is not cities, but camps.*  
(Agamben, 2017:215)

According to Agamben, all models that are used for sciences that design cities and societies such as architecture and social sciences, are actually extensions of concentration camps. And with these three conclusions, he reflects that the actual topic of discussion is the concepts Western Politics take as a basis. Accordingly, Western Metaphysics and Western Politics are founded on two concepts: *on haplos (pure being) and bare life*.

In addition, it appears that the key to the historical – political fate of the West is in the hands of these two hollow and ambiguous concepts. As a matter of fact, in order to understand the bare life, which is the expression of our submission/allegiance to the political power, we must grasp the political meaning of the pure Being and similarly, in order to crack the secret of ontology. Metaphysics (thought) surges the political (reality) sphere, when it arrives at the borders of pure Being; much like politics, surging to the theoretical sphere at the border of bare life. (Agamben 2017:217)

Agamben's philosophy is not exempt from criticisms either; much like all other theories. One of these criticisms is of Byung Chul-Han from Berlin University of the Arts. In his "Topology of Violence", Han attempts to unmask the transformation the contemporary society of ours go through by emphasizing the concept of violence within the framework of ethics, morals, psychology, sociology and politics. As he covers the structural transformation of violence with modernity, he claims that violence was once an ordinary part of everyday life

before modernity, but it stopped being visible and assumed a more insidious activity of propagation:

It starts manifesting its influence via contamination, instead of confrontation; i.e. not vis-à-vis, but with a poisonous violence through contagion and infection, rather than openly attacking. (Han, 2018:18)

According to Han, violence preserves its negativity still with its new form; the only difference is that it does not come from outside anymore. “It is the involuntary-forced past of external violence, which appears to be freedom, instead of the stranger’s force.” (Han, 2018:20)

Starting his analysis of violence in the political field with Carl Schmitt’s distinction of “friend – enemy”, Han reminds that Schmitt accepts politics as “an existentialist field”. All objective distinctions such as good – bad or beautiful – ugly move to the existentialist ground, once they step onto the political field and become “real” (Han, 2018:48). Schmitt goes further and states that even identities are formed over these distinctions. What keeps societies together is the distinction between us – them, friend – enemy and the possibility of violence that may arise from such distinctions. Byung-Chul Han, on the other hand, objects to this view:

A legal order cannot survive only by threats of violence or negative enforcements. Violence does not hold together. Violence is not a sound ground. On the contrary, the presence of intense violence in the society points to internal instability. A legal order that can only survive via violence would be very fragile. The firmest ground is the voluntary consent regarding the legal order. Violence will emerge as soon as this “pillar” leaves the legal order altogether. (Han, 2018:57)

In this context, Han, who tackles Benjamin's theory, claims that he approaches the parliamentary order skeptically, much like Schmitt, but also directs this skepticism towards the field of law too, which is different than Schmitt. He underlines that Benjamin covers the legal relation over exceptional states only and therefore overlooks the intermediary characteristic of the law (Han, 2018:60). He also criticizes the concepts of "divine violence" and "mythical violence", which are used by Benjamin, who pursues the concept of pure violence:

Displaying these two as if they are entirely contradictory is actually problematic. In the myth of Niobe, the problem is, without a doubt, the ruling power and law-makership. Goddess Leto reinforces with her victory her right or her privilege of being worshipped by human beings, which she wants to exercise alone. The difference between humans and gods is thus fixed. The bloody violence of Leto both makes law and establishes boundaries. However, the power of God is not that different from this mythical power in principle. Korah rises against Moses. It reinforces the power of Moses, when God leads him to extinction. He *interprets* his being chosen as his special personal closeness to God. The only concrete example that illustrates pure divine power is not pure. It is a different form of mythical power, which is poisoned with power and strength. (Han, 2018:63)

According to Han, Agamben also demonizes law, following in Benjamin's footsteps (Han, 2018:64). Much like Benjamin, he approaches the relation between law and violence through states of emergency. Han even blames Agamben with distorting Hobbes to legitimize his own theory:

Agamben gathers law and violence in a rumpless way and considers them one. He even states that 'politics is contaminated by law'. He makes the following

demand, citing Hobbes: “All dreams regarding the existence of a fundamentally political action, an agreement or consensus that is to definitely and ultimately signify a transition from nature to state, must be left aside.”<sup>1</sup>

Agamben relays Hobbes with distortion, as he determines this statement.

Hobbes actually considers politics by drawing on agreements. (Han, 2018:66)

Han argues that while Agamben reduces power to violence, he also demonizes law, when police force is in question. According to Han, Agamben’s philosophy does not leave room for politics after this point (Han, 2018:68). The main point, to which Han objects, when he criticizes Agamben, is the notion of “state of exception.” For Han, Agamben thinks with a paradigm of “society of negativity”, despite having lived in a much different society and at a much different time than those of Benjamin and Schmitt, for this concept belongs to their time:

The depression of today’s society does not stem from the measureless spread of sovereignty and the elimination of the distinction between law and violence; i.e., the normalization of the state of exception, as Agamben argues. It stems from the impossibility of the existence of a state of exception anymore and the absorption of everything by *an intrinsic sameness* of the society. (Han, 2018:69)

In today’s society, all externalities are removed, while all negativities and concepts such as sovereignty, terror and exploitation became intrinsic and the individual became a success and performance oriented subject within the capitalist system. Han calls this subject that both exploits and is exploited “homo liber” (Han, 2018:131). According to Han, this theory of Agamben cannot explain this new society and paradigm:

Agamben completely misses the topological transformation of the violence at the basis of the transformation of the society of sovereignty into society of success and performance. The violence of positiveness that provides the society of success and performance its quality cannot be explained with the immunological paradigm of negativity, to which Agamben sticks from beginning to end. (Han, 2018:132)

Byung-Chul Han overlooks two main points while criticizing Agamben. The first one is that Agamben, while considering the relation between violence and law, draws on concepts of states of exception and emergency, much like Benjamin does; but the purpose herein is not to demonize law or ignore its intermediary characteristic. Agamben discusses these notions as they are the states, where the deep and essential bond between violence and law is most visible. The intermediary characteristic of the law in daily life does not help us see its ground of violence, which it essentially possesses. This ground only surfaces in states of emergency. Secondly, Agamben attempts to advance his theory completely within the political field of philosophy and with its concepts; thus, criticizing his theory via psychological concepts such as performance and success or economic concepts such as capitalist exploitation means to move the discussion to a different point than what Agamben points. As a matter of fact, even this change of focus to criticize Agamben reveals the validity of his theory and his perspective under the current circumstances of today. The state of emergency that emerged in the pandemic conditions bestowed upon the states naturally the right to intervene with entirely individual areas of freedom such as the privacy of personal health data, freedom to travel and even ownership. Despite the fact that we were not exposed to anything forced, we waived our own rights and continued to consent, even when we did not do so voluntarily, which is proof that Agamben's theory is, in fact, independent from the social conditions and temporal

grounds in this exceptional state that emerged today, how independent this theory actually is, as well as its emphasis on a very fundamental, very archaic relation.

As Agamben states, the definite metaphysical distinctions underlying Western Philosophy determine the manner in which Modern Western Philosophy approaches politics via the same dichotomy: zoe and bios or oikos and agora distinction. When violence, which is one of the fundamental notions of political philosophy, is wished to be conceptualized over this distinction, we may fall into a trap, where we do not have any other means than the minimal and comprehensive approaches. Dealing with human beings and all activities concerning human beings on a two-dimensional ground, this approach overlooks the simplest and realest humane action: The human act of associating oneself with one's own, one's surroundings and the others. In philosophical studies, the subject is assumed to be an abstract and isolated being, independent from all external factors. This requires the ignoring of the relational ground as the third dimension of all human actions. Only Agamben from amongst the thinkers covered in this dissertation built his philosophy on the relational ground.

While Agamben's theory places politics on ontological foundations with the concept of bare life, it refuses classical distinctions such as public sphere and private sphere and extends an invitation to redefine political categories. Furthermore, the doors of a more dynamic, fluid and bustling political sphere, where definite limitations and definitions are removed with this ontological foundation, are opened. This turns us into multi-dimensional political subjects. "We are neither animals that entered into politics as bare life, nor citizens, whose natural bodies were penetrated by politics, anymore" (Agamben, 2017:223).

Considered in this context, violence is the first factor that relates to all of the political actions and sustains them. Much like the case in other fields, it is a form of relation that the human being establishes with him/herself and the exterior. In both oikos and in agora, all physical and ideational acts are influenced, fed and even transformed by the relations of these

spheres with themselves and with each other. Whether it is positive or negative, the form of relation with the strongest transformative impact is, on the other hand, violence. Therefore, approaching politics, Western Philosophy resorted to Revolutions and Totalitarian experiences as references, for it experienced them the most; developing its fundamental philosophical concepts over these experiences and interpreted them as such. What is astonishing is that none of these thinkers, who covered violence, emphasized colonialism. Colonialism is a rather significant resource that would help us understand violence in the political sphere, just as much as revolutionary terror and totalitarianism, perhaps even able to present a larger spatial and longer temporal experience. The value of this rich inheritance, determining our philosophical point of view, cannot be debated; still, during our time, when the technological, scientific, economic and social developments change their pace and form incredibly, we may need to review and renew our approaches towards philosophical research methods and metaphysics, as Agamben recommends.

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