## REVOLUTION, REVELATION, RESPONSIBILITY:

Emancipatory Futures in Benjamin and Habermas

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In order to clarify the functions of violence within the legal order of the modern ▲ state, Walter Benjamin does not claim that the state's application of violence is unjust. Rather, he interprets and critiques the very existence of a criterion of just violence whereby only some violence is legitimized. Benjamin concludes that this criterion is in place to justify only those uses of violence that serve as a means to the establishment and preservation of the current rule of law. Based on a critique of the instrumental use of legal violence, Benjamin argues that this violence inevitably will serve the interests of state power, and he concludes that the only remedy to this situation is the total annihilation of the legal order. In the final pages of the essay, the "Critique of Violence," Benjamin thus sets out to find a new conception of violence, which is opposed to the legal violence he critiques (296-300). This violence, which he bases on the divine violence of the Judeo-Christian God, is meant to found a new emancipatory order. In his text, Benjamin implicitly alludes to a robust vision for a revolutionary future in which individuals and communities operate according to self-regulated normative principles. Such a view towards an emancipated society is founded initially on a revolutionary destruction of the present state-governed order, and on the generation of communities oriented towards responsible collective action based on shared commitments to autonomy.

Benjamin conceives of divine violence as, first and foremost, an absolute destruction of the legal situation. Therefore, it is necessary to conduct a brief review of law as Benjamin understands it, and of the role that violence plays within any legal framework. For Benjamin, the primary characteristic of legal violence is its use, as a means, within the legal system. The law is based on a promise that establishing a stable legal framework and solidifying the rule of law over society will produce a peaceful, nonviolent social order. All legal justifications of violence presuppose that the rule of law will establish, in the end, a community of citizens who are able to relate to each other without recourse to violence. They are supposedly able to do so specifically because the legal order carves out a social sphere in which such nonviolent interaction is possible.1 Such an order is instrumental in the law's establishment of a nonviolent sphere, which it accordingly views as just and worth pursuing, by whatever means necessary. Violence is such a means. Legal discourse always makes recourse to these two poles—means and ends—in order to justify the application of violence in specific cases. Either the justness of the end towards which violence is applied as a means is used as a justification for the means, or the justness of the means itself is used as a justification for the end which that means brings about.<sup>2</sup> In either case, the law provides justification for the application of violence as a means to the ends that the law—or the state—has set for itself. Benjamin's first critical move is to point out that such justification (for the application of violence as a means) must be made according to some criterion that would distinguish between just and unjust forms of instrumental violence. Instead of evaluating the criterion itself, which would simply critique the application of specific instances of violence, Benjamin wants to critique the very existence of a criterion of instrumental violence itself.<sup>3</sup> Such a criterion, Benjamin argues, will always provide a justification for violence as a means to so-called 'legal' ends (namely, those ends that the law, or the state, acknowledges as legitimate).

The existence of a criterion by which to justify certain forms of violence is a problem for Benjamin because of his belief that any legal system (or at least any contemporary European legal system)<sup>4</sup> will justify violence, which serves the ends that are established and maintained in the legal order. Therefore, within any legal system that justifies violence as a means whatsoever, the law will suppress the 'natural', extralegal ends of individuals insofar as these natural ends might be pursued by violence.<sup>5</sup> In other words, the law—or the legal state—will always seek to maintain a monopoly on violence. The state seeks to maintain complete control over the application of violence—an effort partially effected by the mechanisms of legal justification discussed above—because it views any kind of extralegal violence as a direct threat

<sup>1</sup> Walter Benjamin, "Critique of Violence," in Reflections: Essays, Aphorisms, Autobiographical Writings, ed. Peter Demetz, trans. Edmund Jephcott (New York: Schocken Books, 1986), 278.

<sup>2</sup> Ibid., 278.

<sup>3</sup> Ibid., 279.

<sup>4</sup> Cf. Ibid., 280.

<sup>5</sup> Ibid.

to the existence of the law itself.<sup>6</sup> This threat that extralegal violence poses to the legal order prefigures the place that Benjamin reserves for his conception of utterly destructive divine violence.

Benjamin seeks to provide a critique of violence that does away with the means-ends framework of the legal order all together and thereby rejects the usage of violence as a means under any circumstance. The philosopher argues that a critique of all legal violence (i.e., all violence which is given approval and facilitated by the law) is necessary in order to address adequately the application of violence within any particular sphere.<sup>7</sup> Benjamin therefore understands that all legal violence is either law-making or law-preserving.8 In other words, all violence, which is enacted from within the means-ends legal scheme, and which is employed therein as a means, is always used either to establish or to maintain some legal situation. Benjamin's thesis here implies that even those forms of violence that are aimed at challenging the law's power and at threatening the enforcement of the law cannot succeed as long as they still employ violence as a means.9 However just its ends may be, a revolutionary class that separates the violent means it uses from the ends it pursues will necessarily reestablish the same structure of legal ends that it seeks to dismantle. The instrumental use of even insurgent violence will necessarily fall back on this structure of legality because whenever a rebellious means is used to achieve some political end, it necessarily seeks to achieve that end within the realm of legal ends. In other words, insurgent use of violence as a means aims to establish its ends within the fundamentally problematic system of the law. Such violence is thus revealed by Benjamin as law-making violence, and, as such, participates in the same legal discourse that justifies violence as a means.10

Benjamin substitutes the means-ends scheme that characterizes the social order under the rule of law with his conception of a violence that will liberate society altogether from the oppressive condition of a law-governed society. Because the fundamental feature of the violence employed by the legal order was as a means to some end external to the act itself, Benjamin founds his liberatory violence on a conception of non-instrumental action that binds the goals of the action, and the action itself, more tightly together.<sup>11</sup> This form of action, which is not mediated by the external relations between means and ends, is the direct expression of will.<sup>12</sup> Benjamin wants to suggest a type of violence wherein the violent act emerges organically from the will, and which manifests the will itself. In the legal schema, instrumental violence was viewed as external to the ends that it sought to achieve in the sense that it could

<sup>6</sup> Ibid., 281.

<sup>7</sup> Ibid., 284.

<sup>8</sup> Ibid., 283-4.

<sup>9</sup> Ibid., 285; cf. 282.

<sup>10</sup> Cf. Ibid., 287.

<sup>11</sup> Ibid., 293.

<sup>12</sup> Ibid., 294.

be distinguished clearly from those ends. When a union strikes, for instance, it is clear that its goal for better working conditions is distinct from the strike that it uses as a way of achieving its goal.<sup>13</sup> In this schema, means and ends only relate to each other in their separateness—one is used to bring the other about. The immediately willed action to which Benjamin now looks is different from the mediated action of a means because it cannot be separated from the will of which it is an expression. Immediate violence is the realization of a will that seeks, for some reason, to exert its force upon the world. It is not meant to bring something *else* about, but to manifest a will which has no agenda but to see itself enacted in the world through violence.

Before Benjamin explains how revolutionary violence transforms into divine violence, the philosopher offers an account of the mythical violence of the Greek gods. Mythical violence is indeed an immediate action in the sense described above: it does not seek some end further than the simple employment of violence itself. When the gods wreak havoc on the human world, provoking warfare, killing children, and spilling blood in the most extravagant acts of violence, their actions are not a direct a punishment of anyone, but rather are direct assertions of their existence in the face of a challenge to their authority or power. Mythical violence cannot be anticipated in the same way that many forms of legal violence, and especially punitive law-preserving violence, can be expected, as part of a highly structured, calculative social system that regulates actions with predetermined responses. It is thus in a more immediate proximity to the gods' existence that instrumental violence is first used purely as a means to the establishment and stability of the gods' authority.

Despite the immediacy of this form of violence, mythical violence has a lawmaking character, which, is crucial to the originary establishment of the rule of law. Although the gods' enactment of violence serves no further purpose other than to direct the expression of their existence, this violence does establish a law-constituting control over the world. Indeed, this violence is not a response to the violation of an already existing law. Rather, it is a response to a direct threat to the gods. Insofar as this response reinforces the authority of the gods over the world, it constitutes some kind of law that restricts action for those who experience the violence. This violence does not annihilate its victim completely. It stops short of complete destruction; instead it produces guilt in its victim for the challenge that he made to the established mythical order. It is not that the gods necessarily sought to manipulate their victim, but that the enactment of guilt expands their control and authority.

Benjamin finds that mythical violence is paradigmatically opposed to the kind of violence which he wants to found revolutionary action. Mythical violence, rather than contradicting the law and the means-ends schema it establishes, mythical violence is

<sup>13</sup> Ibid., 291.

<sup>14</sup> Ibid., 294.

<sup>15</sup> Ibid., 295.

foundational to the rule of law. <sup>16</sup> Benjamin's several nods to mythical violence suggest that guilt, as a regulatory force on individuals' actions, is an originary source for the structure of law itself. One should identify mythical violence as a non-instrumental precursor to the violence of the legal order. Moreover, this parallel between mythical and legal violence also reveals that even when the legal order of the state employs violence as a means to the establishment of the rule of law, it does not actually exclude violence from its sphere of legal ends. <sup>17</sup> Mythical violence's connection to lawmaking reveals that violence is related to legal ends not only as a means, but also as an immediate property of the law that does not do away with violence in its realm of ends. In some cases, the law has violence simply as its own end, as an expression of the existence of the law itself in a way that resembles mythical violence. When the law enacts violence simply for its own sake, it manifests violence as an immediate expression of its power.

Benjamin thus ultimately renders his conception of divine violence as both a destruction of mythical violence and as a parallel revolutionary destruction of the law. Divine violence must be an act that, in addition to having the form of an immediate expression of will, brings utter annihilation to the normative world through the mythical-legal violence. Divine violence, employing no psychological mechanism, is interested only in complete annihilation of whatever it finds wrong in the world and is destructive without limit19. This pure immediate violence sets up no law and, similarly, introduces no guilt into its victim for the simple reason that it does not spare its victim in any respect. Instead of manifesting divine *existence* through violence, the divine *will* is expressed in violence. It seeks to annihilate transgression not because transgression threatens divine power, but, rather, because the divine despises transgression. 19

Benjamin contrasts divine violence's purely "expiatory" character with the "guilt and retribution" associated with mythical violence. Mythical violence engenders guilt in its victims by acting in response, as it were, to the transgression. In its enactment of violence, it holds the arrogance of the transgressive act up to the transgressor and clearly communicates that it is *because* of the transgressor's actions against the mythical gods that this violence is inflicted upon them. This utilization of the transgression instills in the transgressor a guilty attitude towards his own act, and, in some sense, is itself perpetuated in this guilt. Mythical violence thus utilizes the transgressive act as a method of control that sets boundaries for future action in the form of law. On the other hand, divine violence seeks to do nothing but annihilate this transgressiveness altogether.<sup>20</sup> It despises the wrong that is committed, and it therefore acts directly

<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

<sup>18</sup> Ibid., 296; 300.

<sup>19</sup> I intend here transgression not in the legal sense of the breaking of a law but rather in the sense it has in the Jewish tradition, namely the failure to act in accordance with the commandment.

<sup>20</sup> Benjamin, "Critique of Violence," 297.

to purge its sphere of all transgression. It does not employ mechanisms of guilt, punishment, and control because its violence is not meant to regulate future action or solidify its control over the world. Divine violence has nothing to gain in manifesting itself; it purges the world of transgressive wrong precisely so that the world will not be stained by the abhorrence of this transgression. This attitude implies that, in purging the transgressor from the world, divine violence rids the world of wrong not for its own sake, but, rather, for the sake of a better world. Divine violence, then, is the manifestation of a will for a world free of wrong (and control)—a world it realizes by utterly annihilating and atoning for the remnants of wrong.

If divine violence atones for wrong done in the world through boundless destruction, in what sense does Benjamin intend for divine violence to be destructive of law? Is the legal order simply a state of injustice that must be destroyed in order for a more just social life to be established? Perhaps the most tempting interpretation would read divine violence as offering a solution to the problematic social situation created by the rule of law. After all, Benjamin has given a robust critique of the rule of law by exposing the way in which law deploys violence in order to bolster its power and stability. This operation of violence and the consequent harm it causes to its society might be reason enough to label law as an injustice deserving of divine violence. If so, then divine violence would "expiate" simply by directly attacking the unjust, violent operation of law. Such a condemnation of law presumes a far more robust ethical framework than Benjamin is willing to grant. Benjamin needs to conduct a critique of the criterion by which violence is justified and enacted because this criterion lacks general insight into the nature of law. The criterion of justified violence presupposes the means-end structure of law and only then proceeds to derive theories of what constitutes justice and injustice. It makes no sense, therefore, to speak of the injustice of the law because the law is a precondition for the establishment of a framework that determines justice. In other words, divine violence enacts justice or destroys injustice. Its destruction does not have a 'just' character because it does not presume any general criterion for justice or for the just application of violence.

Rather than viewing the law as an injustice, I suggest that Benjamin views divine violence as "law-destroying" insofar as it frees the living from the selfish controlling mechanisms of the legal order, which it does in two ways. Divine violence takes an immediate form that rejects the law's instrumental use of violence. It does not make use of violence in order to incur guilt or to exact punishment, and it, therefore, does not threaten, or make demands upon, the living. As will be shown later, even within the scheme of divine violence and the world that it establishes, individuals have responsibility (though that responsibility is not accountable for divine violence itself). Thus, divine violence destroys law, firstly, in the sense that it replaces the methods of control used by legal violence with direct annihilation wherever it finds something it regards as a transgression. Secondly, through this annihilation, divine

violence atones for the transgressor who has been made guilty by the punitive violence of the law. Legal violence establishes guilt in its victim, which generates the subjective means for the law to assert itself over its subjects. Divine violence gets rid of such guilt because it completely destroys. It leaves no trace of the transgression at all, and guilt is thus atoned for in the process. This utter annihilation is non-instrumental. It has no further goals, and guilt and punishment have no place in a will that does not seek control. Since law made use of guilt as the basis for its control, divine violence undermines the law in this second way by expiating the guilt on which the law relies.

One of Benjamin's larger goals in the essay is to provide, through an exposition of his understanding of divine violence, an argument for the possibility of revolutionary violence and a suggestion for what proper revolutionary violence might look like.<sup>21</sup> As discussed earlier, any violence that is still instrumentalized as a means cannot be truly revolutionary because it leaves the legal order of instrumental action intact. No matter how just the goals of a revolutionary class might be, the same oppressive and coercive legal power will be reproduced as long as the violence it employs is only a means to those goals. Instead, true revolutionary violence must seek to destroy the rule of law itself and the order through which the rule of law is perpetuated, (i.e., the state). Revolutionary violence, in taking after, or even realizing divine violence, must not set itself the goal of establishing a new order. Such a new order cannot be known to the agents of the revolution. Revolutionary violence is the expression of a will to rid the world of legal state power and of the coercive violence it deploys. This will cannot conceive of a future that will lie beyond the revolution, for such a conception would necessarily instrumentalize the violence it enacts. Instead, like divine violence, proper revolutionary violence will seek to annihilate what it despises, namely the legal state apparatus. Benjamin thus takes a firm position against utopian revolution, because it sets ends beyond the revolution itself. For Benjamin, the revolutionary future lies beyond the horizon of all political imagination, and can only emerge immanently out of the ruins of an already dismantled law-governed state.

Benjamin's view on violence certainly raises concerns. If revolutionary violence is to have no mechanism to justify its use, and no systematic way of regulating, or limiting, its application, then can there be any limit to this violence? Providing an ideal concept of immediate violence seems to be dangerous if the violence is enacted by a will that takes up the wrong kinds of ends. When violence no longer is a means for the establishment of a peaceful society, but, rather, is an expression of the will to destroy, the effect of that violence becomes totally contingent on the will, which enacts this violence. If the revolution cannot conceive of higher social goals beyond the revolution itself, how can there be any guarantee of emancipation? Furthermore, Benjamin recognizes that we do not have historical examples of this kind of violence on which to base our inquiry. Because divine violence leaves no trace of guilt in the

<sup>21</sup> Ibid., 300.

victim it annihilates, its "expiatory power [...] is not visible to men".<sup>22</sup> For Benjamin's vision of revolutionary violence to be at all feasible, then, we need to specify some sphere outside of the cycle of legal forces that will be able to provide some guiding norms for revolutionary action.

Benjamin provides a brief suggestion of such a sphere in his notion of commandment. The commandment, for Benjamin, is the articulation of a principle for guiding action delivered through the medium of language.<sup>23</sup> It is an imperative for action directed at individuals, which they are meant to adopt as their own when they encounter other people as agentive persons. The commandment is thus always known before the opportunity for action. Unlike legal norms, which regulate people's actions whether or not these persons are individually aware of specific laws,24 the commandment operates through its communication to persons who must consider their own action. Individuals are bound in obligation only at the moment in which the commandment has been communicated to them. As an internalized guiding principle for individuals and communities, the commandment does not operate through a punitive threat, as the law does. The commandment always precedes the deed, and it remains for the persons who have received the commandment to consider the conditions and exceptions of its application. The commandment cannot be used as a criterion for the judgement of an action after it has been executed and it certainly cannot stand as an ex post facto judgement. This notion of commandment accords with Benjamin's rejection of the instrumental logic of legal discourse. In legal frameworks, adherence to legal norms is guaranteed by the threat of punishment. Legal violence, and lawpreserving violence in particular, is used as a means to ensure the rule of the legal order by externally subjecting individuals to the law through punishment. Mechanisms of punishment and the fear of punishment ensure adherence to the law through the instrumentalization of violence. The commandment does not ensure adherence to the law, because it is not at all concerned with punishment or judgement, and, therefore, does not instrumentalize violence in pursuit of obedience. Rather, individuals act in accordance with the commandment based on a shared affirmation that it is a principle worthy of adherence. I will argue now that such a collective commitment to commandment-like norms can be grounded in the responsibility that is generated from the commandment's linguistic character.

This notion of non-punitive commandment provides a possible source for a revolutionary normativity that does not rely on the logic of legal discourse. If the central concern regarding Benjamin's vision for revolutionary violence is that it has no principle to guide revolutionary action, then the commandment is a potential source for action-orienting principles, because it does not impose itself externally and instrumentally upon normative actors. If its end is for individuals and communities

<sup>22</sup> Ibid.

<sup>23</sup> Ibid., 298.

<sup>24</sup> Cf. Ibid., 296.

to act in ways that it regards as normatively valuable, then it does not force them to do so; it tells them to do so. The commandment mobilizes shared language to give the norm, from the one who commands, to those who are commanded. This notion of normative action, based on a communicated principle, is advantageous because it cultivates autonomy, which the law could not establish, in the acting individual. Because the law generates obedience only externally in the individual through punishment, the individual is always subject to the law. The law always acts upon him. The commandment, on the other hand, is a principle of action that is not enforced, but, rather, is given to the individual. Individuals must grapple on their own with its application in the real circumstances of their lives.<sup>25</sup> Unlike the law, the commandment does not make decisions for the individual. This autonomy is advantageous because it allows individuals to make crucial pragmatic judgements about the norm's applicability and its inevitable exceptions. It is additionally advantageous because it does not require the external force of a regulative system through which normative action must be guaranteed. Rather, individuals (and communities) who follow the commandment determine their own adherence to the project of collective normative action.

This commandment model for revolutionary normative action raises another difficulty: we have not yet explained how individuals are guaranteed to commit to norms without coercion, or by the threat of punishment. If normative action is not centralized by a legal-punitive system of action regulation, we are going to need to specify some ground for believing that individuals and communities would adhere to these norms. Additionally, while the *model* of the non-punitive commandment might be attractive to a Benjaminian sensibility, Benjamin fails to provide any explanation of the source of these norms. We therefore must specify how the *content* of such commandment-style norms are generated. As we will see, Habermas's notions of responsibility and language, and the emancipatory potential that lies in their relation, provide a possible grounding for our Benjaminian vision of normative action.

In his essay, "Knowledge and Human Interests: A General Perspective," Habermas sets out a critique of all knowledge-producing sciences by revealing the "knowledge-constitutive interests" that determine the methodological framework in which scientists pursue each form of knowledge. Habermas's core argument is that all epistemic practices are oriented by interests that humans have in gaining particular kinds of knowledge. Therefore, the methodological tools that we use for inquiring about, and for investigating the world, are not determined by a disinterested strategic concern with the best manner of getting at an objective truth. Rather, the fundamental practical human interests that we seek to satisfy by pursuing knowledge determine these tools. These interests therefore provide the frame for our inquiries. According to Habermas, despite science's aspiration to disinterested theoretical inquiry, we cannot

rid our epistemic practices of these human interests.<sup>26</sup> Instead, the task of critical theory is to make these interests visible so that the sciences can proceed with a 'critical eye' towards the influence that particular interests have on knowledge-production. This 'critical eye' is meant to give the theorist a certain autonomy within the interest-constraints placed on our attainable knowledge.

One of these knowledge-constitutive interests is an "emancipatory" interest in autonomy and responsibility. Habermas argues that this fundamental human drive towards emancipation leads us to engage in reflection about our own social conditions, which will ultimately identify the ways in which we have been subjected to "hypostatized powers", and consequently, the ways in which we can free ourselves from the oppressive social conditions in which we are stuck.<sup>27</sup> The project that Habermas suggests for critical theory is to develop sciences, which are aware of the social and cultural conditions of their knowledge-production, through engaging in this kind of self-reflection.<sup>28</sup> They will therefore be able to identify more "emancipatory" ways of satisfying their respective human interests.

This suggested project of self-reflection of the sciences leads Habermas to consider what grounds the human interest in autonomy and responsibility (i.e., language). Habermas's idea is that implicit in the intersubjective communication, whereby language links people together, is a will towards "universal and unconstrained consensus." In using language, humans recognize, at some level, the will to be understood by, and to be in agreement with, others. Language is thus premised on an assumption of mutual understanding; language must be *shared* language. This mutuality of language evinces a certain will towards universal dialogue: anyone who has access to the language can *understand* and *be understood*. No matter how simple its use of language is, every utterance aspires to an intersubjective communication, which is based wholly on shared, agreed-upon linguistic rules. In the ideal structure of language, no external constraints are imposed on linguistic usage, and any attempt to do so only inhibits language users' ability to communicate clearly and to create consensus-based dialogue.

The structure of language as unconstrained universal communication among language users is generative of responsibility because it allows for individuals to gain mutual understanding of the importance of their autonomy and of the autonomy of others. We can use language with each other to come to agreements about what kinds of action are worthy of our collective pursuit. Language allows for individuals to assent freely to consensus-based actions, and their responsibility towards each other, and towards the agreed-upon norms, is based upon their unconstrained practice

<sup>26</sup> Jürgen Habermas, "Knowledge and Human Interests: A General Perspective," in *Knowledge and Human Interests*, trans. Jeremy J. Shapiro (Boston: Beacon Press, 1971), 311.

<sup>27</sup> Ibid., 310.

<sup>28</sup> Ibid., 311.

<sup>29</sup> Ibid., 314.

of consensus-building in language. When individuals and communities engage in "non-authoritarian and universally practiced dialogue," they can come to normative agreements based on communication unencumbered by the interests of power, selfishness, and greed.<sup>30</sup> Rather, because every individual knows that his personal interests can be understood in this kind of communication, strategic and selfish linguistic maneuvers are replaced by collective commitment to agreed-upon norms.

Habermas' notion of collective responsibility and commitment to such norms, which are grounded in language, provides the necessary basis that was lacking for Benjamin's notion of the commandment. Using this understanding of unconstrained communication about norms, we can give a complete account of a possible non-legal, non-punitive vision of normative action. The structure of the commandment can be seen as an ideal example of consensus-based normative principles. As aforementioned, the commandment only binds those who have understood the content of the commandment and who have agreed to follow it. It is not an expression of a force, power, or threat according to whose will individuals must act. The commandment is delivered through language, and its binding nature is dependent on the understanding and assent of all parties. The commandment is thus an example of a universally agreedupon norm grounded in language. This requirement of universal understanding of the norm before it becomes binding provides a level of assurance that norms will be followed based on a collective responsibility for the norms' realization. Those who "wrestle in solitude"31 with the commandment have the responsibility to faithfully apply the agreed-upon normative principles, and it is up to them—and only them to ensure that these forms of action are realized.

One final indication that Habermas' notion of communication-based responsibility is deeply compatible with Benjamin's revolutionary vision is found in Habermas' suggestion that the kind of unconstrained communication upon which all understanding is built is only possible in a fully emancipated society.<sup>32</sup> In an unfree society, external conditions impose constraints upon language-use. The law mobilizes language instrumentally to control legal subjects, and the state deploys language in the construction of ideologies that deceive people into thinking that their social conditions are natural. Such uses of language are not based on mutual understanding or a will towards universal consensus. Rather, they are based in the instrumentalization of language as a quasi-violent means towards the ends of state power and the perpetuation of the rule of law. These uses thus play into the meansend schema of the legal order repeatedly mentioned by Benjamin in his critique. Therefore, only in a society that is free of the power-accumulating forces of the instrumental legal order, is an unconstrained normative consensus actually possible. These legal forces, which instrumentalize violence and mobilize guilt as a means of

<sup>30</sup> Ibid.

<sup>31</sup> Benjamin, 298.

<sup>32</sup> Habermas, 314.

control, must be destroyed by Benjaminian divine-like revolutionary violence. Only then, in an emancipated, revolutionary society, can the kind of language-use and communication required for the generation of responsibility be truly enacted. With the destruction of the legal forces that place fetters on the progressive realization of the fundamental human interest in autonomy and responsibility, the historical horizon opens up towards an ethical future in which normative action is based on autonomous collective commitments and responsibilities, rather than on coercion and the suppression of cooperative initiative. •

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