
**HUMAN RIGHTS IN CRISIS:
IS THERE NO ANSWER TO HUMAN VIOLENCE?**

A Cultural Critique in Conversation with René Girard and Raymund Schwager

Submitted by

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STATEMENT OF AUTHORSHIP AND SOURCES

This thesis has not been submitted for the award of any degree or diploma in any other tertiary institution. The foundations of Chapters 5 and 7 were laid during my MA (theol) project; otherwise this thesis does not contain material of a thesis by which I have qualified for or been awarded another degree or diploma. Portions of Chapter 5 have been previously published in the Conference Proceedings of the COV&R Conference of July 2005 under the title “The Representational and Doxological Ground of Human Mimesis”. To the best of my knowledge and belief, no other person’s work has been used without due acknowledgement in the main text of the thesis.

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ABSTRACT

The study attempts to bring together the mimetic theory of René Girard and the theology of Raymund Schwager to address questions inherent in the contemporary notion of human rights. The impetus derives from the phenomenon of human violence, the universal presence of which points to a problematic that seems to defy conventional explanations and political solutions.

In dialogue with Girard and Schwager, the project seeks to shed light on the causes not only of the apparent fragility of the human rights system, but also of the persistence with which large-scale human rights violations recur despite the proliferation of human rights norms. It argues that the human rights crisis is neither an accident nor a shortfall in techniques of implementation, but reflects the subconscious and collective structure of civilization. Following a description of the crisis, this investigation examines the nature of human violence, especially the contagious manner in which it works at the root of the crisis, offering understanding where conventional anthropological reflections fall short. The study argues with Girard that vengeance and retribution resonate deeply with the human psyche and easily evoke an archaic image of the divine. While this arouses moral protest in the post-modern mind, we meet here one of the fundamental issues mimetic theory elucidates, namely that it is on account of such an unconscious image of the “sacred” that vengeful violence has remained for so long a determining element in human history.

In a theological key, the study presents human mimesis as a divinely constituted structure that makes possible divine/human intimacy and reciprocity. However, this exalted capacity is perverted. Human sin casts God into the image of an envious rival which corrupts the personal and structural dimensions of human sociality of which the so-called “human rights crisis” is but a contemporary manifestation. What rules the social order is not the true image of God but a resentful human projection that deceptively demands victims in exchange for peace and security. Thus “mimetic victimage” is the essential clue to the fallenness of nations and their institutions, including the institution of human rights, as well as to the

fallenness of individuals in their profound alienation from God, from themselves and from one another. Nonetheless, mimesis is also a structure of hope and transcendent longing. So understood, it opens the way to a profound and practical appropriation of the meaning of Christ as the restoration of the image of God in humanity whereby rivalistic resentment, the epicenter of the human predicament, is undone through forgiveness.

While there is an enabling aspect to violence when it restrains and coerces us for our benefit as we rightly fear the greater violence that might ensue in its absence, the study also argues that because mimetic human agents carry out the “deed of the law”, the human rights system cannot overcome the mimetic impulse. As a judicial system, human rights belong structurally to the same order as the system they seek to correct. This ambiguity takes on special significance in the “age of annihilation”. For the first time in history limitless violence has become feasible through weapons capable of planetary destruction so that humanity not only faces its own complicity with violence, but also the relative powerlessness of the human rights project to keep its mimetic escalation in check.

This raises the central question of the study. If the institution of human rights cannot offer a rigorous critique of structural violence, let alone free humanity from complicity with it, where shall the world place its hope for a more humane future? It concludes that such a hope is not to be found in the proliferation of rights norms and their enforcement but in the transformation of human desire through the restoration of the true image of God as revealed in the Christ-event. This revelation judges as futile all attempts at human sociality that retain violence as their hidden core. Thus God’s freedom granting action in history is both revelatory and “political”: in its prophetic stance against the powers of human sin and domination, it calls humanity to its true vocation to be the image of God grounded in a new pacific mimesis that resonates freely and unflinchingly with the self-giving love of God in Christ.

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CHAPTER 1

INTRODUCTION

PREAMBLE

Scientific curiosity had led Otto Hahn to discover nuclear fission in December 1938. Within two months, the destructive power of the atom's vast energy potential had dawned on the two-hundred-odd scientists engaged in nuclear research at the time. Concerned, physicist Carl Friedrich von Weizsäcker, who had studied under Heisenberg and Hahn, sought out his philosopher friend Georg Picht. In a late-night conversation they concluded:¹

- If nuclear bombs are possible, *given the present state of humanity*, someone will build them.
- Once nuclear bombs are built, *given the present state of humanity*, someone will deploy them in war.
- The atomic bomb sounds the wake-up call of the technological age. As long as the institution of war exists, ever more technically sophisticated weapons will be built and deployed. Either the institution of war will be overcome or humanity will destroy itself.

It took less than seven years for the first two of their predictions to materialize. Weizsäcker's and Picht's concern was a moral one. From the perspective of this study, their conclusions raise important questions about the *present state of humanity*.

As the title indicates, this study is only indirectly concerned with the nuclear threat. However, the questions it addresses are of equal urgency and reach: the intractable phenomenon of human violence and the incapacity of human rights to disentangle us from its thrall.

When representatives of highly abusive governments occupy seats on the U.N. Human Rights Commission and thereby succeed in protecting themselves from

¹ Carl Friedrich von Weizsäcker, *Wohin Gehen Wir?* (München; Wien: Carl Hanser Verlag, 1997), 24-25 (from the German, emphasis added).

criticism, human rights are in crisis. When the President of the USA threatens to veto the entire Pentagon budget over a proposed amendment that would ban “cruel, inhuman and degrading treatment” of prisoners in camps run by the US military (known as the McCain amendment), human rights are in crisis. When U.N. peacekeepers sexually abuse women and girls with impunity in territories they are mandated to protect, human rights are in crisis.

But if the institution of human rights cannot offer a rigorous critique of structural violence, let alone free humanity from complicity with it, where shall the world place its hope for a more humane future? This question is, in a nutshell, the focus of my investigation.

Von Weizsäcker’s view that increasing technological sophistication will threaten humanity’s survival as long as the social structure of war continues to exist is certainly pertinent. I shall argue, however, that institutional violence constitutes only one of the many faces that mask a much deeper malaise.

In the course of this study, I have been led to conclude that not only is the world facing a crisis of planetary proportions but also that the human rights system itself is experiencing a crisis of its own. My attempts to describe this crisis have suggested a theoretic and ethical malaise in fundamental anthropological assumptions. In undertaking this inquiry, I hope that its findings will contribute in a small way to a renewed consciousness of who we are as human beings and of what we are destined to become.

Previous research, in which I related Girard’s mimetic anthropology to the “image of God” (Gen 1:26-28), gave the initial impetus. It raised questions of the relation between the image of God and social ethics, leading to this project in which I attempt to bring together Girard’s mimetic theory, questions inherent in the contemporary notions of human rights, and the dynamics of Christian hope.

While the ideas that shaped this project grew out of academic pursuits, their roots reach into my childhood. By the age of fourteen, I had experienced the thrall of Nazi mythology and its collapse. I had been an eyewitness to SS atrocities in Eastern Europe, had fled in vain together with other panic-stricken villagers before the ravages of the Soviet *soldateska*. My family had paid the price, along with millions

of others, for the geopolitical game the Allies had played at the Yalta Conference of 1945 when Stalin, Roosevelt and Churchill redrew the map of Eastern Europe, resulting in the deportation of the German population from their homeland. In short, this study is part of a larger personal journey, providing the opportunity to seek an intellectual understanding of certain aspects of Christian faith and also, in that context, to testify to the power of God's revelation in Christ. Quite literally, life began anew thirty years after the war when I was drawn into the restorative orbit of the Christian message and there found release from the trauma and violence of the past.

CONTEXT

The Global Situation

The global crisis I have alluded to is characterized by several mutually reinforcing trends, each of which has the potential for bringing our civilization to its knees. These are variously described as overcrowding,² resources scarcity,³ the changing nature of war,⁴ international terrorism, the forces of globalization,⁵ the clash of civilizations,⁶ militant religious nationalism confronting the secular state,⁷

² Robert D. Kaplan, *The Coming Anarchy: Shattering the Dreams of the Post Cold War* (New York: Vintage Books, 2000).

³ Joseph Wayne Smith, Graham Lyons and Evonne Moore, *Global Meltdown: Immigration, Multiculturalism, and National Breakdown in the New World Disorder* (Westport, Conn.: Praeger, 1998); *Global Anarchy in the Third Millennium? Race, Place, and Power at the End of the Modern Age* (New York: St. Martin's Press, 2000).

⁴ Martin van Creveld, *On Future War* (London: Brassey's UK, 1991).

⁵ Anthony G. McGrew, "Human Rights in a Global Age: Coming to Terms with Globalization", in *Human Rights, Fifty Years On: A Reappraisal*, ed. Tony Evans (Manchester; New York: Manchester University Press, 1998); Jan Art Scholte, "Towards a Critical Theory of Globalization", in *Globalization: Theory and Practice*, ed. Eleonore Kofman and Gillian Youngs (London: Printer, 1996).

⁶ Samuel P. Huntington, *The Clash of Civilizations and the Remaking of World Order* (New York: Simon and Schuster, 1996).

⁷ Mark Juergensmeyer, *The New Cold War? Religious Nationalism Confronts the Secular State* (Berkeley; London: University of California Press, 1993).

environmental despoliation,⁸ and the decline of the nation state,⁹ all leading, one way or another, to the threat of escalating inter-human violence.¹⁰

The confluence of these destabilizing factors has been in the making for more than a century. Yet none of these trends could have been anticipated during the nineteenth century. Since that time, killing humans has become a process of mass production. Over 130 million people have been killed – fifty million in combat and eighty million murdered in cold blood – as fanatical leaders strove to shape their respective utopias coercively.¹¹

Human Rights: Promise and Incapacity

Out of this experience of violence and inhumanity, an era of human rights and hope for a peaceful resolution of conflicts has emerged. Countless publications have celebrated the achievements of this movement.¹² After the terror of World War II, the

⁸ T. F. Homer-Dixon, *Environment, Scarcity and Violence* (Princeton: Princeton University Press, 1999).

⁹ Martin van Creveld, *The Rise and Decline of the State* (Cambridge: Cambridge University Press, 1999).

¹⁰ See also the documentation of human rights organizations such as the Annual Reports of Amnesty International, (accessed 12 May 2002); available from <http://www.amnesty.org>

¹¹ Zbigniew Brzezinski, *Out of Control: Global Turmoil on the Eve of the Twenty-First Century* (New York: Charles Scribner's Sons, 1993).

¹² The following may be regarded as a representative selection: Peter R. Baehr, *Human Rights: Universality in Practice* (London: Macmillan, 2001); Robert Blackburn and John Taylor, *Human Rights for the 1990s: Legal, Political, and Ethical Issues* (London: Mansell, 1991); Eva Brems, *Human Rights: Universality and Diversity, International Studies in Human Rights* (The Hague; London: Martinus Nijhoff, 2001); Richard Pierre Claude and Burns H. Weston, *Human Rights in the World Community: Issues and Action* (Philadelphia: University of Pennsylvania Press, 1989); Luke Clements and James Young, eds., *Human Rights: Changing the Culture* (Oxford: Blackwell, 1999); Angela Hegarty and Siobhan Leonard, eds., *Human Rights: An Agenda for the 21st Century* (London; Sydney: Cavendish Publishing Company Ltd., 1999); Yael Danieli *et al.*, ed., *The Universal Declaration of Human Rights: Fifty Years and Beyond*, Foreword by Kofi A. Annan; Epilogue by Mary Robinson (Amityville, N.Y.: Baywood, 1999); Jack Donnelly, *Universal Human Rights in Theory and Practice* (Ithaca, N.Y.: Cornell University Press, 2003); *International Human Rights* (Boulder, Col.: Westview Press, 1993); *Universal Human Rights in Theory and Practice* (Ithaca, N.Y.: Cornell University Press, 1989); *The Concept of Human Rights* (London: Croom Helm, 1985); Tom Farrer and Felice Gaer, "The UN and Human Rights: At the End of the Beginning", in *United Nations Divided World: The UN's Role in International Relations*, ed. Adam Roberts and Benedict Kingsbury (Oxford: Clarendon Press, 1993); John P. Humphrey, *Human Rights and the United Nations: A Great Adventure* (Dobbs Ferry, N.Y.: Hutchinson, 1959); "The Universal Declaration of Human Rights: Its History, Impact and Juridical Character", in *Human Rights; Thirty Years After the Universal Declaration*, ed. B. G. Ramcharan (The Hague; Boston; London: Martinus Nijhoff, 1979), 21-37; Rein Müllerson, "Fifty Years of the United Nations: Peace and Human Rights in the U.N. Agenda", in *Human Rights for the 21st Century*, ed. Robert Blackburn and James Busuttil (London;

human rights movement certainly projected hope for a better world. The nations embraced the Universal Declaration of Human Rights (UDHR) as an expression of their moral and behavioural aspirations.

With time, a profusion of U.N. agencies, several human rights courts and tribunals have emerged, accompanied by over one thousand non-government organizations (NGOs) which monitor the implementation of a worldwide human rights regime. In addition, the principles of the UDHR have been progressively incorporated in most national constitutions. In short, human rights have become a central feature of modern society and international legal practice. Surely we live in “a world made new”.¹³

Yet, after more than fifty years, the results are gravely disappointing. Mary Robinson, the former U.N. Commissioner for Human Rights, lamented:

Count up the results of 50 years of human rights mechanisms, 30 years of multi-billion dollar development programs and endless high-level rhetoric and the general impact is quite underwhelming ... this is a failure of implementation on a scale that shames us all.¹⁴

On the surface, one could cite a number of political reasons for the fragility of the human rights framework. Pluralism, especially in ethical and political areas, means that nation states find it almost impossible to agree on universal norms, let alone on their enforcement. The expectation that economic globalization would also lead to moral global consensus has proved to be a false hope. Some even fear that economically motivated globalization will result in further political fragmentation as national cultures and communities try to safeguard their integrity and interests. Theorists such as Ignatieff have singled out two factors that have especially

Washington: Pinter, 1997); Johannes Morsink, *The Universal Declaration of Human Rights: Origins, Drafting and Intent* (Philadelphia: University of Pennsylvania Press, 1998); Dinah Shelton, “The Promise of Regional Human Rights Systems”, in *The Future of International Human Rights*, ed. Burns H. Weston and Stephen P. Marks (Ardsley, New York: Transnational Publishers, 1999), 351-98; K. Vasdak, ed., *The International Dimensions of Human Rights*, trans. Philip Alston (Westport, Conn.: Greenwood Press, 1982).

¹³ Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights* (New York: Random House, 2001).

¹⁴ Mary Robinson, the former UN Commissioner for Human Rights, cited in Geoffrey Robertson’s *Crimes Against Humanity* (Allen Lane: Penguin Press, 1999), 32. Since this quotation comes from her speech at the 50th anniversary of the adoption of the UDHR, it lends special poignancy to her lament.

contributed to the crisis.¹⁵ The first is the failure to apply human rights norms consistently to the weak and the strong, along with the problem of developing successful institutions that can actually *prevent* rights violations. The second factor is historical experience during the second half of the twentieth century. The atrocities committed since the Holocaust, to say nothing of the moral vacuum in which current conflicts escape resolution,¹⁶ have deeply shaken the world's faith in the UDHR and the Conventions promulgated since.

While widespread violations of human rights have reinforced the necessity of human rights articulations and international legal institutions, the defence of human rights has been facing increasing challenges of a political, intellectual and religious nature. Some are related to the question of what circumstances would justify the global community intervening in cases of flagrant internal repression and violence. Others reflect the fact that the humanistic concept of "rights" does not sit well with some philosophical and religious traditions. Others again have arisen from the desire of nations to protect the sovereignty of the state in order to prevent U.N. conventions from becoming too imperial.

A less evident but nevertheless significant challenge has come from the emancipation of non-European cultures from their colonial past, especially in Africa. Since the end of World War II, they no longer see themselves as inferior, culturally or morally, to the West. As a result, human rights interpretations have proliferated and intensified the level of conflict. In Western culture, for instance, human dignity has been defined as the capacity for autonomy and agency, but these are values that are not shared by everyone. Similarly, the West tends to define human rights as protection of the weak against the strong. Such a definition is not supported by autocratic regimes. Besides, in some societies, even the weak are often unwilling to consent to norms that run against the grain of their cultural tradition. Moreover, Western cultural values are strongly tied to constitutional democracy. But, even in the long term, one cannot expect that this form of government will be universally accepted. On the one hand, democratic values cannot be imposed. On the other, not

¹⁵ Michael Ignatieff, *Human Rights as Politics and Idolatry* (Princeton: Princeton University Press, 2001).

¹⁶ Cf. Alasdair MacIntyre, *After Virtue: A Study in Moral Theory* (London: Duckworth, 1981).

all societies are ready to embrace democracy as the West embodies it. In fact, there are today several regions of the world where the state has either disintegrated or is in the process of fragmenting to the point where democracy is beyond the bounds of expectation. In such cases, “order will have to come first”, writes Ignatieff, “and a bloody order it will probably be”.¹⁷

At the beginning of the twenty-first century the human family is interconnected as never before. Yet, there is also unprecedented threat: poverty, infectious diseases, environmental degradation, war, violence within states, proliferation of nuclear, chemical and biological weapons, and international terrorism.¹⁸ Every one of these threats contradicts values such as human dignity, liberty and fraternal solidarity. Paradoxically, to meet these threats, the nations continue to place their hope in international cooperation. While much has been achieved along these lines, the threat of violence continues to endanger the desired international collaboration.

THE RESEARCH PROBLEM

Issues and Aims

As a political prognosis Ignatieff’s statement that “order will have to come first and a bloody order it will probably be”¹⁹ raises questions about human self-understanding. Is it possible that his assessment points to a pathological condition that is not yet understood with clarity? This question provokes others: what is it about the human condition that makes violence foundational to social order? How is the historical experience of endemic human violence reconciled with our self-ascribed status as *Homo sapiens*? How can Western political theory relate the incurable human bias towards coercion, bloodshed and violence to the Enlightenment notion that humans are free, rational agents capable of determining what is good for themselves and others? After all, the ledgers of history reveal that attributes such as good will and

¹⁷ Ignatieff, *Human Rights as Politics and Idolatry*, 172.

¹⁸ United Nations, *A More Secure World: Our Shared Responsibility – Report of the Secretary-General’s High-Level Panel on Threats, Challenges and Change* (New York: United Nations, 2004).

¹⁹ See n. 17 supra.

mutual compassion are neither innate nor universally distributed among us. Surely, humanity's "track record" points rather forcefully in the direction of Hobbes' conclusion that the natural condition is that of a war of every man against every man.²⁰ Such a judgment jolts the moral imagination and shocks the liberal self-image that people might entertain of themselves. The possibility that Hobbes' view is more accurate than we dare to admit demands the kind of research involved in this project.

On the map of human experience the research problem is located where the paradox of wanting peace and security, yet not being prepared or able to make peace intersects with the need for hope. More concretely, the project attempts to throw light into the causes of the human rights crisis while keeping three specific aims in mind: firstly, the need to sharpen the understanding of universal violence and the contagious manner in which it works; secondly, to present an understanding of the universal longing for peace and security in relation to the theology of redemption and trinitarian love; thirdly, to relate these considerations critically to the paradigm of human rights.

On Method

In the broadest sense, then, the study seeks to understand the causal connections between the phenomenon of human violence and the powerlessness of the human rights paradigm to achieve its ideals. It also aims to enhance human self-understanding by connecting the human rights crisis with the Christian story and the hope it inspires.

In the course of the study, theory-based analysis is used to examine certain conventional presuppositions and macro-social interactions. Meaning is derived from reflective hermeneutics whereby it is assumed that judgments about facts and values are possible and therefore also about their distortions. In synthesizing the findings, an inductive approach will be taken that leads to new interpretations of the matter to be explained.

²⁰ Thomas Hobbes, *Leviathan*, with an Introduction by C. B. Macpherson (Baltimore: Penguin Classics, 1968), 183-188.

Verifiability of Faith Data

Central to this study is the examination of data derived from Christian faith, a procedure which calls for clarification. The question is how faith data may be verified within the framework of scientific knowledge.

According to Malcolm Jeeves,²¹ knowledge may be understood as a relationship between the knower and the known. Scientists relate personally and through their intellects to what they seek to study. The knowledge they obtain thus entails a variable objectivity/subjectivity ratio depending on the place along the continuum of knowledge at which it is taken. At one end of the continuum, in the physical sciences, a relatively high objectivity component is the norm. As one moves towards the other end, subjectivity increases, as for instance in the social sciences. This is even more the case in aesthetic and religious knowledge.

One of the underlying assumptions in the gathering of scientific knowledge is experimental repeatability: the same experiment done under the same conditions, with the same skill, elsewhere in the world delivers similar results. This feature allows scientists to arrive at a consensus of scientific opinion by which research findings are verified. Jeeves notes, “It is this intersubjective verifiability which gives scientific knowledge its relative objectivity”.²²

This principle applies also to data of faith. Tangible data include biblical texts, the history of Israel, the sayings and actions of Jesus as recorded by the early church, the history of various traditions and so on. Like other data, they are there to be studied and evaluated. This constitutes the objective side of faith-related knowledge. The subjective element is given by the intangible data of Christian experience. Within the Christian community there is widespread consensus that the central figure of this faith is “knowable” through personal encounter and experience, and that a real two-way interaction is possible between the knower and the known. Admittedly, this relationship is highly subjective; it is nonetheless verifiable in the same way other scientific knowledge is verified, through intersubjective reporting

²¹ Malcolm Jeeves, *The Scientific Enterprise and Christian Faith* (London: Tyndale Press, 1969), 50-53.

²² *Ibid.*, 51.

and peer evaluation. Like scientists, people who profess faith in Jesus Christ speak of the experience in much the same way and find a self-authenticating and self-validating consensus in their communication with other Christians. As Jeeves puts it, “There is ... a considerable measure of intersubjective verifiability in matters of Christian faith as well as in matters of science”.²³ Torrance speaks in similar terms when he writes, “Scientific theology is active engagement in that cognitive relation to God in obedience to his demands, of His reality and self-giving. In it we probe into the problematic of the human mind before God and seek to bring knowledge of Him into clear focus ...”²⁴

Clarification of Terms

This section explains words and phrases which carry special significance and meaning in the study.

Christ: This word is neither the surname of Jesus of Nazareth nor a divine title, nor a form of shorthand for “the incarnate one”, the “God-Man”, the one who “reveals God” shorn of its first-century Jewish-messianic attributes. Rather “Christ” is to be understood to include such meanings as “the true Israel”, her king (and therefore the king of the world), the one who brings Israel’s history and thereby the history of the world to its climax, who brings God’s justice and wins the ultimate battle against the forces of evil. While there is no unifying concept of “Messiah” in second temple Judaism, the messianic themes that run through the Old and New Testament present an unmistakable pattern which Jesus makes his own and radically reinterprets: victory is won not by messianic force but by the way of the cross.²⁵ Thus the epiphany of God’s “anointed one” challenges the grand claims of pagan empire both religious and political.

Crisis: This word occurs frequently. Far from being a term of convenience, it conveys two meanings depending on the context. In most cases it refers to the multi-

²³ Jeeves, *The Scientific Enterprise*, 53.

²⁴ Thomas F. Torrance, *Theological Science* (London: Oxford University Press, 1969), ix-x.

²⁵ This understanding of Jesus’ messiah-ship relies on N.T. Wright, *The Challenge of Jesus* (London: SPCK, 2000); and *Paul: Fresh Perspectives* (London: SPCK, 2005), 40-58 and is of relevance for the discussion of the “politics of God” in Chapter 8.

dimensional “danger and threat” which humanity faces at this time. Where it appears in the context of hope, it means “turning point”. When speaking of the human rights crisis, I mean on the one hand the problematic caused by cultural pluralism in relation to the justification of human rights;²⁶ and on the other – more importantly in our context – the inability of the paradigm of human rights to free humanity from its mythical attachment to violence as a bringer of peace and the consequential dysfunctionality of the human rights system itself.

Inclusive language: I have preserved the traditional names of Father, Son and Holy Spirit together with the appropriate pronouns “he” and “his”. This is not to indicate that I favor a patriarchal interpretation of Scripture. A proper biblical understanding of these names would lead to the opposite conclusion. Christians have always believed that God is greater than human conceptions of gender. Important as male/female distinctions are, especially in relation to the “image of God”, this project does not deal with such issues.

Girardian terminology: a glossary of Girardian terms is found in Appendix 2.

Human rights paradigm: This expression encompasses the entire contemporary human rights culture with its semantic, juridical, and political framework patterned after the UDHR, irrespective of regional and philosophical nuances. The term *human rights project* is sometimes used synonymously. When I speak of the *human rights system*, I refer primarily to its structural/organizational aspects including the interactive behaviour of various government and non-government players. In any event, the context will indicate which nuance applies.

Resentment: For Girard, resentment is the result of mimetic pressure. It may be called “vengeance interiorized” or “psychological self-poisoning”. Since the English does not adequately account for the underlying imitation of the ‘other’ which

²⁶ Geneviève Souillac in her *Human Rights in Crisis: The Sacred and the Secular in Contemporary French Thought* (Lanham; Boulder; New York; Toronto; Oxford: Lexington Books, 2005) locates the crisis in the ongoing debate on the universality of human rights within various disciplines such as political science, legal and political philosophy. She draws attention to the French contribution that highlights the need for Western democracies to be themselves interrogated by the paradigm of human rights. Having confined my references to the Anglo-American literature, I have not discussed the French contribution.

recoils on the imitator, the French *ressentiment* is preferable. Whenever I use “resentment” I do so with the French meaning in mind.²⁷

At certain points I will speak of *Theology* and *Religion*. The former refers to knowledge of the reality of God, while the latter means “religion” in the Girardian sense, not the behaviour of religious people.

BRIEF DESCRIPTION OF THE PROJECT

The first task is to describe the present crisis. This will lead to a critique of the one prevailing assumption, namely, that the human rights system can, of itself, create a civilization of peaceful cooperation. It will show on anthropological grounds that the impulse to violence requires a radical review of human self-understanding before any cure or healing can take place. It will also note that current social theories, by sharing the Enlightenment prejudice against the Judeo-Christian tradition at the heart of Western culture, simply fail in the light of such horrendous acts of collective violence as the Holocaust or Rwanda.²⁸ In this context I will argue that this inherent inability to offer a thoroughgoing critique of violence plays into the hands of the destructive forces in the world. I will also show that the human rights project faces a crisis of its own, which is largely a crisis of integrity. The human rights project is threatened by the inaccuracy of fundamental assumptions regarding human beings, by the dynamics of globalization and by the games nations play.²⁹ Rights have not led to responsibilities, and the autonomy, universal good will and political wisdom that were presumed are not notably in evidence, as we shall see more fully.

The theological task will address in a special way the question of hope. As I examine various aspects of the Judeo-Christian tradition, I will not only point to prerequisites for a culture of peace, but also argue that the present crisis in the area of

²⁷ Cf. Girard, *Girard Reader*, 40.

²⁸ Zygmunt Bauman, *Modernity and the Holocaust* (Oxford: Basil Blackwell, 1989).

²⁹ In a world that spends \$1000 billion per year on military expenditure and a mere \$50 billion on development aid for poor nations, the ideals of Enlightenment philosophy simply no longer ring true (cf. James Wolfensohn, President of the World Bank, in an interview with Kerry O’Brien, Australian ABC TV, “The 7:30 Report”, 10 February 2004; see also John Carroll, *Humanism: Wreck of Western Culture* [London: Fontana Press, 1993]).

human rights calls for a re-engagement with the Christian narrative. What is at stake is the fundamental nature of creation, and related to this, the creation of the human being in the divine image. This will prove a key point as I examine the nature of “desire” in relation to the divine being and activity in history. Essential theological notions of “fall” and “redemption” will be investigated in this context.

THE REFERENCE AUTHORS

René Girard

The anthropological analysis of this study relies on the work of René Girard with special attention given to his “mimetic theory” which will be more fully explained in Chapter 3.

Many scholars regard René Girard as one of the most original and influential thinkers in the field of contemporary cultural theory. He is a member of the Académie Française, which recently bestowed on him the Grand Prix de Philosophie in recognition of his outstanding contribution to philosophical anthropology.³⁰ While his work is less known in the English-speaking academy, its influence is growing.

Girard came to a conclusion similar to that of Hobbes, but by an entirely different route. Schooled as a literary critic, his investigation of the dynamic of human desire was conducted in a literary manner with reference to such diverse authors as Cervantes, Shakespeare, Proust, Stendhal and Dostoevsky. He discerned the “imitative” or mimetic nature of human desire as the anthropological datum for an understanding of human violence and culture.

³⁰ For the trajectory of Girard’s thought see Chapter 3. For an abridged account of Girard’s career see Michael Kirwan S.J., *Discovering Girard* (London: Darton Longman and Todd, 2004), 10-13. A more comprehensive personal and intellectual biography may be found in Chris Fleming’s *René Girard: Violence and Mimesis* (Cambridge: Polity Press, 2004), 1-8. Eric Gans, a former student of Girard’s who developed his own theory of origins, writes: “It seems to us that Girard’s research provides an ‘Archimedian point’ outside the terrain of classical thought, from which we might profitably deconstruct this thought, not in the service of a nihilism which is only the negative image of its failure, but as a positive reflection which is capable both of integrating the assets of traditional philosophy and of providing a true anthropological foundation to the ‘social sciences’ ” (cited in Fleming, *René Girard*, 1). Although this response to Girard’s work is not shared by everybody, it nonetheless indicates the thrust and significance of Girard’s contribution.

Girard found that human desire is triangular. Contrary to the assumptions of the social sciences, he understood desire as arising neither spontaneously nor in linear fashion between a subject and an object. Neither is desire reducible to the longing of a subject that seeks itself in the object – as if it were a narcissistic mirroring of the self in the other. Rather, for Girard, mimetic desire is the desire of another. This other provides a model whose desiring signals the desirability of an object to the subject. Only as the subject imitates the other, does it come to know what it desires. In this light, mimetic desire is indeterminate and precedes reflection in its primordial orientation and openness to the other. Desire understood in this way leads to conflicts as the acquisitive and appropriative urges of individuals or groups converge on the same object. Their mutually imitative interactions result in polarization so that other(s) are experienced as rivals. As this conflict escalates, their rising passions blind them to the reality that the desire for the object and the desire for the elimination of the rival have become identical.

Girard develops his hypothesis of proto-human mimesis as follows. A life-threatening frenzy of reciprocal violence ensues when a group's instinctive functioning based on some dominance pattern is outrun by uncontrolled imitative interaction in competition over food, mates or other objects of desire. At the height of the crisis, an arbitrary lynching takes place which purges the group of its violence and brings about provisional resolution in the form of "peace". The calm that follows the frenzy is experienced as a primordial moment of the "sacred". The original victim of group violence becomes sacralized. At first, the victimized other was judged guilty and so deserving of expulsion and death. But this death brought peace and new life to the group. Consequently it is vested with god-like status. As this pattern is repeated over long periods, the group learns that the victimary process controls its violence, and finds assurance in its ability to overcome any threat of internal violence in the future. This is to say that an original lynching becomes the generative moment of culture and religion. Myths and sacrificial ritual have their origin in such repeated resolutions of mimetic crises. To Girard's way of thinking, culture and religion are mechanisms that are founded in violence and exist to channel it through the structure of the scapegoat.

For Girard, the violent structures of acquisitive mimesis are so deeply entrenched in the human unconscious that humanity is unable to extract itself from their powers.³¹ Hence Girard is highly skeptical of the notion that people are capable of sovereignly directing their destiny, and regards the existence of an autonomous will as a deceptive illusion.

What Girard also illuminates are the collective interdependencies in which human beings become so entangled that they forfeit their power to act pacifically and beneficially.³² Therefore, many causes of human suffering may not necessarily be attributable to the ill-will or moral failure of individuals but to collective processes operative in society beyond the control of individual participants. This realization explains why, for instance, certain communal practices resist human rights norms that run against their grain; equally, why human mimesis – although the source of much suffering – must be seen in essence as a structure of hope. On the other hand, Girard claims that it is the Judeo-Christian scriptures which demystify the mythical entanglement of culture with the sacrificial or victimary mechanism.

Predictably, Girard has not been without his critics. But even his critics acknowledge the significance and provocative nature of his contributions. As Fleming has shown, many scholars of formidable stature have taken Girard's work into a wide range of scientific disciplines, from biophysics to economics and politics, and into Christian theology.³³ However, Girard's critics have raised questions about the scientific standing of his theory which still need to be resolved.³⁴

From the anthropological analysis I will pass to the theological in dialogue with the late Austrian theologian Raymund Schwager S.J., whose theological project has become known as "dramatic theology". In this key, I will take into consideration elements of Christian revelation and the hope it inspires.

³¹ Cf. Sollers' comment, "the unconscious is structured like a lynching" (Philippe Sollers, "Is God Dead? The Purloined Letter of the Gospel", Special Issue of *Stanford French and Italian Studies* 34, [1986], 191-96).

³² Willibald Sandler, "Befreiung der Begierde: Theologie zwischen Rene Girard und Karl Rahner", in *Vom Fluch und Segen der Sündenböcke: Raymund Schwager zum 60. Geburtstag*, eds Józef Niewiadomski and Wolfgang Palaver, (Thaur; Wien: Kultur Verlag, 1995), 49-68.

³³ Fleming, *René Girard*, 153.

Raymund Schwager

Schwager draws on many fields of theological inquiry. He seeks to integrate René Girard's empirical anthropology, Wolfhart Pannenberg's historical perspective and Hans Urs von Balthasar's "Theo-drama". His theology exhibits a literary rather than a philosophical approach, particularly through an engagement with biblical texts which often favor a dramatic mode of expression.

One of Schwager's major concerns is that theology has so far made only a minimal contribution to such social problems as human violence and aggression. Instead of following academic theology into increasing specialization, Schwager seeks quite deliberately an engagement with concrete societal issues. These he addresses in dialogue with the behavioural and political sciences, even to the point of including military studies.³⁵ The fruitfulness of Schwager's method has been demonstrated in a long-term research project over twenty years.³⁶

First steps towards this project were taken in 1973 following a meeting with René Girard. After a period of intense discussion a series of publications emerged, notably *Der Glaube der die Welt Verwandeln Kann* (1976) and *Brauchen wir einen Sündenbock?* (1978). Following his appointment at Innsbruck as Professor for Dogmatic and Ecumenical Theology in 1977, Schwager (jointly with Józef Niewiadomski) began to outline a framework for a long-term research project "Religion, Society and Violence" with the aim of investigating in an interdisciplinary manner such theologically important themes as conflict, violence, ritual, sacrifice, the sacred, expulsion, authority, reconciliation, peace and revelation.³⁷ Two interrelated issues are important for Schwager: the debate with the historical-critical method, and connecting exegesis with systematic theology

³⁴ See Michael Kirwan, *Discovering Girard* (London: Darton, Longman & Todd, 2004), 94.

³⁵ Raymund Schwager, *Must There Be Scapegoats?* (San Francisco: Harper & Row, 1987), xi.

³⁶ Raymund Schwager and Józef Niewiadomski, eds, *Dramatische Theologie als Forschungsprojekt*, Beiträge Zur Mimetischen Theorie, vol. 15 (Münster: LIT Verlag, 2003), 40-77.

³⁷ In 1984, colleagues from the Institute of Moral Theology (H. Büchele and W. Palaver) also began to work on the project. With his dramatic exegesis of *Jesus in the Drama of Salvation*, Schwager continued earlier attempts at a dramatic theology. This interest dates back to Schwager's doctoral work. He wrote his dissertation on Ignatius of Loyola's dramatic understanding of the Church (1970)

Schwager's theology appeals for several reasons. First, in his attempts to correlate cultural and social actions and events to the history of revelation, especially when these stand in tension with one another, Schwager is not satisfied with any so-called solutions that treat problematic elements as insuperable contradictions. Instead, he meets the interpretative challenges head-on convinced that interpretations are most meaningful when the tensions are recognized and a dramatic interplay is allowed for. He writes: "The central question which is at stake is rather whether one wants to resign oneself to an unresolved tension of opposing aspects in the picture of God, or whether a dramatic scheme, and with it a solution to the logical contradiction, can be successful". He notes that if these tensions either remain unresolved and if it cannot be determined which situation prompts the one or the other emphasis, then arbitrariness reigns and "the doctrine of God ... [would lose] coherence".³⁸

Second, Schwager's "dramatic" approach is predicated on the view that Judeo-Christian revelation during its history has been subjected to a radical and existential critique. The principal carrier of the revelation has undergone the severest crises including the ultimate crisis of death and God-forsakenness. This explains why in the dramatic model the category of "crisis" occupies a place of multi-dimensional significance – including the role of signifier – in relation to the process of revelation itself.

Finally, Schwager, having recognized the explanatory power of Girard's theory, has over more than thirty years not only been a wise theological interpreter, but has also incorporated its implications into his soteriology emphasizing the dramatic overcoming of evil by way of a spiritually transformed desire.

which was stimulated further by H. U. von Balthasar's "Theodramatik", although he departs from it in many places (Schwager and Niewiadomski, *Forschungsprojekt*, ix-x).

³⁸ Schwager, *Jesus in the Drama*, 68-69; In this regard, Schwager affirms the findings of a study by Erlemann of the synoptic parables as "stamped with unresolved tensions owing to antithetical ideas ..." such as "invitation versus exclusion" or "marriage feast versus judgment" (Kurt Erlemann, *Das Bild Gottes in den Synoptischen Parabeln*, Beiträge zur Wissenschaft vom Alten und Neuen Testament (Stuttgart: Kohlhammer Verlag, 1988).

THESES AND CONTRIBUTION

The impetus for this study derives from the phenomenon of human violence, the universal presence and epidemic escalation of which point to a problematic that seems to defy conventional explanations and political solutions.

At a time when the language of human rights has been accorded an unassailable international, political and ecclesial lustre, it will appear almost eccentric to raise questions in this area. But it is precisely here that this thesis hopes to contribute as it ponders the question of whether the human rights system as it has developed is really able to bear the weight of its own ideals.

The study has been guided by three theses:

1. The human rights crisis is neither an accident³⁹ nor a shortfall in techniques of implementation, but reflects the subconscious and collective structure of civilization.
2. In comparison with the social sciences, mimetic theory yields a fuller explanation of violence, especially of the contagious manner in which it operates.
3. When this hermeneutic is applied to the human rights crisis and to data of Christian faith, new perspectives emerge for human self-understanding that will enable further reflection on fundamental questions of human rights today.

By scrutinizing what has hitherto been unquestionably assumed, this study attempts to throw light on possible causes behind what Mary Robinson lamented as the “failure of [human rights] implementation” and in the process justify a re-engagement with the Christian narrative. The scope of this project can be outlined in the following terms.

Firstly, the crisis of human rights itself: here I will address the inability of the human rights project to realize the noble values it intends in the political, economic and social orders.⁴⁰

Secondly, I will present Girard's mimetic theory and evaluate its capacity to illuminate the causes of the current crisis in a manner where conventional anthropological assumptions regarding human violence fall short.

Thirdly, in a theological key, I shall examine human mimesis as a divinely constituted structure that makes possible divine/human intimacy and reciprocity. In the context of the human predicament, it functions as a structure of hope and transcendent longing. It opens the way to a profound and practical appropriation of the meaning of Christ as the restoration of the image of God in humanity. Thus rivalistic resentment that works at the core of human violence is overcome through a higher order mimesis resulting in the experience of true freedom.

Fourthly, continuing in the same register, I shall present God's action in history as both revelatory and "political" activity in its stance against the structures of human sin and domination. Given the impotence of the human rights system to offer hope and a thoroughgoing critique of violence, I will argue that only "Christic" love and Spirit-empowered human participation in the new non-violent sociality grounded in the paradigm of divine/human reconciliation is able to maintain such a "prophetic stance" in history.

While this study assumes that the human rights project is a necessary humanizing structure, it also argues that it is fallen and incapable of healing the present disorder. It further argues that the answer to human violence lies not in legal systems but in the revelation of God in Christ which judges all attempts at human

³⁹ A work of the "bitch-goddess of unpredictability" as MacIntyre might colorfully call it (MacIntyre, *After Virtue*, 89).

⁴⁰ I note that some theorists like Michael Ignatieff advocate a "minimalist" human rights agenda that remains compatible with cultural pluralism and capable of producing a consensus of what is "insufferably, unarguably wrong." (Ignatieff, *Human Rights as Politics and Idolatry*, 56). Also Dieter Witschen has argued that the human rights project aims at "the facilitation of human life, not at its fulfilment" (Dieter Witschen, *Systematische Studien*, ed. Prof. DDr. Antonio Autiero and Prof. Dr. Josef Romelt, vol. 28, *Christliche Ethik der Menschenrechte* [Münster; Hamburg; London: Literatur Verlag, 2002], 84). While there is merit in assigning a minimalist role to human rights, I contend for reasons given in Chapters 4, 6 and 8 that it is unsustainable in practice. The problem of effectively linking ideals and practice has surfaced from the beginning. For instance, as more and more nation states in the developing world sought a rapid transition to liberal democracy and to a free market economy over the last twenty years, they found themselves confronted with the absence of a paradigm capable of integrating such aspirations with the human rights demanded by the politically awakened masses (see Marshall Conley and Daniel Livermore, "Human Rights, Development and Democracy: Dilemmas of Linking Theory and Practice", Democratic Institution Building, Acadia University, 2004, accessed 2 October 2005); available from <http://ace.acadiau.ca/YIIP/dfaitypi04/articles/theory.html>

sociality that rely on the *logos* of resentment for their cohesion, and thus retain violence as their hidden core. It also admits that the transition from the surrogate peace resulting from violence to true peace in Christ is by no means easy to negotiate.

LIMITS

There are necessary limits when it comes to exploring such large issues. For instance, I will not engage directly with various critiques of Girard's work. Nor will I be dealing with political ideologies, political theory or with political theology. As far as the philosophy of human rights is concerned, I will restrict myself to the perversion of the human rights paradigm which occurs in the interplay between the "politics of power" and the "politics of resistance" and as reflected in the Anglo-American literature. Particular issues such as the abortion debate, the rights of women or indigenous or ethnic minorities, economic injustices and so on cannot be treated fully, but will appear as illustrations of a more general argument. There must be a similar restriction in regard to theological themes and questions, especially in relation to the church, the teaching of its various traditions, its relation to the state, or the church's own human rights record. What I am presenting is not a theology of human rights, nor a study of Christian social ethics, but an anthropological and theological critique of culture.

OUTLINE OF CHAPTERS

The study begins by drawing the contours of the human rights crisis. Chapter 2 describes the human rights regime, the ambivalence of the nations in relation to its norms, and mounting global threats to human existence. It prognosticates that under such pressures international antagonisms and violence may increase. Out of this context the question arises whether the human rights project will be able to prevent a deepening of the crisis or whether the world may be witnessing the symptoms of a malaise that does not respond to political solutions. Together with Chapters 3 and 4, this chapter challenges some closely held presuppositions.

Chapter 3 examines the phenomenon of violence in anthropological perspective. It surveys three schools of anthropological opinion such as the widely held social resources theory of violence, the hunting hypothesis of Walter Burkert, and René Girard's hypothesis of mimetic desire. Burkert and Girard are important because they go beyond the social role of violence and explain its phenomenology as well as its religious dimension. Following this exposition, I will expand on Girard's approach explaining its chief elements such as mimetic desire, the mimetic crisis, the victim, the sacred, and the scapegoat mechanism. This chapter also deals with typical criticisms of Girard's theory and the relation of his hypothesis to historical Christianity. It concludes by addressing the question of why the social sciences fail to offer a satisfying anthropology of human violence.

Analyzing the human rights crisis in greater depth, Chapter 4 applies the Girardian hermeneutic to issues such as the origin of the text of the UDHR, its misuse by the nations, the influence of globalization, the development of a human rights market, the nature of terrorism and the function of the law. It identifies the hidden operation of the victimary mechanism in each case. This leads to two interdependent conclusions. (1) If interpreted through the Girardian lens, the crisis assumes extraordinary anthropological significance and leads to important insights regarding its causes. (2) Since the human rights project cannot overcome the lynching mechanism of the scapegoat, it may be argued that it belongs structurally to the same order as the system it seeks to scrutinize and correct, thus lacking the Archimedian point outside the system from which to offer a thorough-going critique of structural violence. This raises the question, to be discussed in Chapter 8, of whether mimetic resonance with the domination system may even endanger the future of human rights.

Chapter 5 attempts to underpin the notion of human mimesis theologically. It first relates human mimesis to the "image of God" of the creation account and then moves through a multi-layered analysis of its Christological, moral and doxological foundations. Lastly and more speculatively it engages three schools of trinitarian thought to support the thesis that human mimesis is a creation gift given for the purpose of representing the Creator to the rest of creation. I argue that this representational role of humanity is to be understood and lived out of an intensely

personal as well as pacific reciprocity with the Creator and with other human beings predicated on the life of God himself, who has revealed himself in Christ as Love in person.

Chapter 6 shifts the attention to the dark side of humanity. It contrasts humanity's exalted position with the historical experience of mutual rejection, domination, reciprocal violence and death. It examines the perversion of the "image" through sin understood as the presumptuous striving of human beings towards independence, self-sufficiency, god-likeness and the idolatrous worship of self. I argue with Girard that this distorted or "fallen" mimesis is derived from a rivalistic projection of humanity's metaphysical desire for the divine on the transcendent screen. Falsely perceived as the true "image of God", it produces the notion of the "primitive sacred" which demands victims "in exchange" for society's peace and security. Its underlying rivalistic attitude results in a secret death wish towards the Creator. This perverted desire functions in causally effective ways in individuals and society, giving rise to humanity's progression towards radical evil. Its ultimate manifestation is blasphemous cruelty towards others. While such causes remain at present unacknowledged, they explain more fully the nature of human rights violations. However, such a view, even if adopted, would not exempt the human rights project from the universal predicament. Faced with the impotence of political solutions, futility and hope emerge as issues that need to be addressed.

Chapter 7 deals with the restoration of the divine image on earth. It offers an exposition of Schwager's dramatic theology, addressing such questions as the problematic of divine violence, the dialectic of divine justice and mercy, the message of the imminent kingdom of God and its rejection. It explains how in the drama of salvation the image of God is restored through the life, death and resurrection of Jesus Christ. If appropriated by faith, the image is re-created in the human person, meeting humanity's deepest need. I shall argue with Schwager for a conception of God that is utterly free of sacred violence although by no means indifferent to human sin. Jesus, the risen Victim, has transcended the vengeful mechanisms of envious rivalry. This chapter also proposes that even now, through the work of the Holy Spirit in history, the risen Christ – the "new" sacrificial centre of self-giving love – gathers around himself individuals whose desires are being progressively converted

towards a mimesis that reflects the true image of God. The chapter concludes with a reflection on dramatic soteriology in relation to human responsibility and the significance of Christian hope in the midst of the human crisis.

After a brief recapitulation of the main themes discussed in previous chapters, Chapter 8 takes up the question of the future of human rights in the light of various factors of decay. It concludes that mimetic contamination with the forces of “global capital” may subvert the paradigm of human rights into a market-friendly one, rendering its future uncertain. This observation further underscores my point that human rights morality on its own is ineffective in transforming human desire. An exploration of the “political” implications of the kingdom of God leads to reflections on the relation between liberty, community and power. Here I conclude that the answer to human violence lies in the “imitation” of the non-violent image of God whose presence in history reveals, as well as heals, the human crisis at its core. However, the resulting “prophetic stance” in history over and against the forces of domination will only be maintained by pro-existence in self-sacrificial non-violent action grounded in divine love, suggesting that the human rights paradigm without the theology of grace is unable to maintain the historical stance to which it aspires. Lastly, by pointing to the limits of all organic life in an entropic universe, the issue of futility is foregrounded. I conclude that ultimately the question of hope for a truly human future is only answerable from the position of trust in a faithful Creator.

Chapter 9 draws together the diverse threads of this project and summarizes them in a number of theses that follow from the discussion.

SUMMARY

The project is an attempt to bring together the mimetic theory of René Girard and the theology of Raymund Schwager to address questions inherent in the contemporary notion of human rights. The impetus derives from the phenomenon of human violence. Its universal presence points to a problematic that seems to defy conventional explanations and political solutions.

In dialogue with Girard and Schwager, this thesis seeks to shed light on the causes not only of the apparent fragility of the human rights system, but also of the persistence with which large-scale human rights violations recur despite a proliferation of human rights norms and the international legal apparatus that has emerged since the adoption of the UDHR.

Among the many issues this project addresses, one of its central concerns is the human condition that seems to make violence foundational to social order.

By relating the notion of human *mimesis* to the data of Christian revelation, especially to the “image of God”, I hope to develop a critically plausible version of the Christian story in a way that will enable it to make a constructive contribution to the reflection on human rights. With these introductory thoughts in mind, we begin our investigation by outlining some of the contours of the crisis of human rights.

CHAPTER 2

CONTOURS OF THE HUMAN RIGHTS CRISIS

INTRODUCTION

In the decades following the adoption of the UDHR, the level of consciousness as to the inherent dignity of the human being and of the moral demand to respect it has risen remarkably.

There has certainly been a growing self-awareness of personal rights and freedoms. At the same time, the awareness of the need to protect them has also grown as the horrors of world-wide violence and human rights violations continue to blight human existence.

The general impression that recent history has been particularly violent is not without substance. According to Boelkins and Heiser, in the one hundred and twenty-six years between 1820 and 1945 a human being died every sixty-eight seconds at the hands of a fellow human being.⁴¹ However, subsequent mass killings in the second half of the twentieth century would far surpass this figure, and the ominous beginnings of the twenty-first do not engender hope for improvement.

When the United Nations Organization was founded in 1945, the aim was to ensure that the horrors of the two world wars were never repeated. At that time, the founders were preoccupied with state security in the traditional military sense. Sixty years later, the central challenge of member states is to fashion a new and broader understanding. Besieged by threats beyond military aggression, human society is struggling on many fronts. Poverty, infectious diseases, environmental degradation and global warming, war, violence within states, proliferation of nuclear, chemical and biological weapons, international terrorism – all threaten human existence.⁴² These threats know no boundaries, and no state, however powerful, can make itself

⁴¹ R. Charles Boelkins and John F. Heiser, "Biological Bases for Aggression", in *Violence and the Struggle for Existence*, ed. David N. Daniels, Marshall F. Gilula and Frank M. Ochberg (Boston: Little Brown Company, 1970), 15.

⁴² United Nations, *A More Secure World*, 1-2.

secure against them. But how to meet these universal demands is another matter. The U.N. Secretary-General's High-Level Panel on *Threats, Challenges and Change* wrote:

Differences of power, wealth and geography do determine what we perceive as the gravest threats to our survival and well-being. Differences of focus lead us to dismiss what others perceive as the gravest of all threats to their survival. Inequitable responses to threats further fuel division. Many people believe that what passes for collective security today is simply a system of protecting the rich and powerful. These perceptions pose a fundamental challenge to building collective security today. Stated baldly, without mutual recognition of threats there can be no collective security. Self-help will rule, mistrust will predominate and cooperation for long-term mutual cooperation will elude us.⁴³

The report further concedes that “alliances are frayed” and “mired with distrust across a widening cultural abyss”.⁴⁴ It poignantly asks “What happens when peaceful prevention of the threats [from HIV to nuclear terrorism] fails,” when a “descent into war and chaos” cannot be halted or “distant threats become actual”?⁴⁵ The U.N. certainly expresses hope that the organization and the world can adapt to the new challenges, and that a new framework of preventive measures may be worked out. But whence this optimism? Judging by the U.N. High-Level Panel report, member states have consistently failed to live up to their declarations, promises and pledges; needless to add that large-scale human rights abuses are implicit in the threats which the nations inflict on each other. In this light, it seems unlikely that the global trend towards an escalation of violence will be reversed any time soon. Meanwhile, the U.N. is undergoing a credibility and effectiveness crisis of its own.

What emerges is the unsettling picture of a world in turmoil and disarray. It is the purpose of this chapter to draw in broad strokes the contours of the crisis. I begin with the conception of human rights and the problematic of their institutionalization.

⁴³ United Nations, *A More Secure World*, 10.

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*

HUMAN RIGHTS: CONCEPTS AND CONTROVERSIES

Human rights conceptions are not lofty precepts that simply permit us to feel moral outrage at the parlous state of the world. From the outset, they were meant to make a difference in the world. Although Campbell points out that the philosophical debate has moved on from the natural-law/legal-positivist dichotomy and that human rights rhetoric is seen today as the core of societal goals that include rights as well as duties, their institutionalization still poses problems philosophically, politically and epistemologically.⁴⁶ Since these uncertainties form part of the crisis, it may be helpful to be aware of some of the underlying arguments.

Historical/Philosophical Trajectory

Human rights are said to attribute moral value to the human person and their philosophical justification reflects that value.⁴⁷ While it is generally accepted that the modern conception of human rights has its origin in the philosophy of the seventeenth century and in the subsequent secularization of natural law, the idea of subjective rights is much older. The civic concepts involved may be traced to antiquity – Athenian democracy and Roman jurisprudence – while the underlying ethical notions are thought to be older still dating back to biblical times. In the Middle Ages, natural law was interpreted theologically. Thomas Aquinas saw natural law as an expression of the divine will. Accordingly, the individual was subject to divine as well as human authority such that even feudal overlords were constrained by divine rule.⁴⁸ In the 14th century, jurists began to distinguish between objective

⁴⁶ Tom Campbell, “Human Rights: A Culture of Controversy”, *Journal of Law and Society* 26, no. 1 (March 1999), 6-26.

⁴⁷ Alan S. Rosenbaum, “Introduction: the Editor’s Perspective on the Philosophy of Human Rights”, in *Philosophy of Human Rights: International Perspectives*, ed. Alan S. Rosenbaum (Westport, Conn.: Greenwood Press, 1980), 6-7. As Rosenbaum points out, most authors agree that the human rights discourse takes place not on the basis of human rights *per se*, but according to the stance the individual writer adopts on the issue. Hence the discourse is bound to reflect one of three possible modes of political thought: liberalism, socialism or self-determinism. Differences of view are largely attributable to the perspective from which the concept of rights is conceived.

⁴⁸ *Ibid.*, 11.

law and subjective rights,⁴⁹ while notion of “right” in Thomist philosophy “referred to an obligation towards others”.⁵⁰

A major shift in the conception of rights occurred in the 17th century. Just as human beings could discover the rules of geometry and physics without reference to God, so could human reason search out and identify the rules that governed persons and society. What became known as the Age of Reason radically shifted human self-understanding towards the anthropology of self-assertion and independence. It declared the human being to be free from absolute authority and dogma. Man had come of age and declared himself to be a morally autonomous, inviolable individual.⁵¹ With Hobbes (1588-1679) the notion of “right” becomes completely severed from objective justice.⁵² Liberty rights, as subjective rights, were thus grounded in the autonomy of the individual.

The philosophical trajectory of eighteenth-century rationalism with roots in the thought of Hugo Grotius (1583-1645) and John Locke (1632-1704) further cemented the notion of individual rights in this way. Locke based the claim that the individual possesses natural rights to life, liberty and property which in the American *Declaration of Independence* (1776) should become “the right to life, liberty and the pursuit of happiness”. While rights remain grounded in natural law theory, their moral foundations had become vested in the individual life.

At that time, the philosophical views of Emmanuel Kant (1724-1804) and Jean-Jacques Rousseau (1712-1778) gained prominence. Kant’s theory of pure

⁴⁹ Brian Tierney, *The Idea of Natural Rights: Studies in Natural Rights, Natural Law and Church Law* (Atlanta, GA.: Scholars Press, 1997). Kenneth Pennington has drawn attention to a peculiarity of contemporary law dictionaries which ignore rights in their definitions of law. This silence, he suggests in agreement with Tierney, may be a reflection of Western thought which tends to compartmentalize the idea of rights, believing that it is an invention of the democratic nation state (cf. Kenneth Pennington, “The History of Rights in Western Thought”, *Emory Law Journal* 47, no. 1 [Winter 1998], 237-52). According to Ruston, the idea of rights has more in common with pre-modern Christianity than is commonly acknowledged, pointing to the 16th century school of Dominican thought as reflected in the writings of Francisco de Vitoria (1483—1546) and Bartolomé de Las Casas (1484—1566). Ruston’s book is valuable also from another perspective. It explains why the notion of “human rights” presents such an uncomfortable embrace for the Vatican (Roger Ruston, *Human Rights and the Image of God* (London: SCM Press, 2004).

⁵⁰ Ruston, *Human Rights*, 102.

⁵¹ Rosenbaum, “Introduction,” 12-13.

⁵² Ruston, *Human Rights*, 102.

reason followed in the tradition of Enlightenment rationalism. It was predicated on the existence of unconditional principles and the free will of the rational individual which he formalized as the *categorical imperative*.⁵³ With Kant, duty becomes the universal to which the rational capacities of the individual are bound and through which freedom and responsibility are held in dialectical tension. In other words, the social order was given through rational individuals whose will, the faculty of self-determination, was set not on “consideration of pure consequence” as in pragmatism, but on duties specified by moral laws that lay outside the realm of natural law. However, once the human being is seen as “an autonomous moral finality”, the claim that individuals are all important and their rights self-evident is the next logical step.⁵⁴

With Rousseau another view emerged that contrasted sharply with Kantian ideas. Rights originated neither in nature nor in the individual but in society. Only if people obeyed the “general will” of society (its laws) would individual freedom and equality be safeguarded; otherwise chaos would break out. Reason and conscience formed the moral structure of society linked to the “principle of popular sovereignty”, so that individual rights were subject to a collective will.⁵⁵

The Kant/Rousseau dichotomy, between individual rights and correlative duties versus the general will of society, was later recast into two fiercely opposed political ideologies – liberalism and collectivism. During the Cold War, these would keep the world on the brink of mutual annihilation for almost a half a century.

When the French Revolution and its aftermath failed to deliver on the promise of institutionalizing “self-evident and inalienable” rights, it became clear that earlier pretensions had their roots in another agenda. While insistence on the “rights of man” may have been useful in tearing down the “divine right of kings” and the resulting feudal structures, it also established, as Auguste Comte noted, “some criticism of the theological into a positive doctrine ...”. In other words, reference to God was the irritant. His exclusion was accomplished by replacing him with a

⁵³ Rosenbaum, “Introduction”, 13.

⁵⁴ *Ibid.*

⁵⁵ *Ibid.*, 14.

philosophical abstraction, “the dogma of liberty of conscience”, which accorded human beings “unbounded liberty” at the expense of former anthropological conceptions without being able to put something better in place.⁵⁶

As science, capitalism and nationalism emerged as new forces in Europe, the shift from a metaphysical perception of human beings toward a scientific-materialistic anthropology continued. In England the empirical interpretation of rights found expression in the utilitarianism of Jeremy Bentham (1748-1842). Natural rights were “nonsense on stilts” unless recognized in conventional law. But rights *per se* were not the issue, only their transcendental origin.

With the theory of evolution and its application to the moral dimension in the nineteenth century, human rights – even if they had to be enforced by law – were seen as elements of evolutionary emergence (Herbert Spencer, [1820-1903]). However, the evolutionist hope that the development of a free and just society was only a matter of time should soon be shattered by the unbridled manifestation of militarism, political totalitarianism and the unspeakable inhumanity which these forces wrought during the century that followed.

This historical sketch underscores an important point of my thesis. If the conception of the *humanum* (and by implication of human rights) is defined by what is knowable through science and by the postulates of positive law, we turn morality (and human rights) into mere functions of self-chosen authority. On the other hand, by becoming identified with the established order (for it is the established order that has given rights their identity), the very notion of human rights is emasculated and loses its power to act as a corrective of political reality. It is the weakness of positivism that it posits a fundamental contradiction between the empirical and the metaphysical and seeks to eradicate all reference to the latter. It is therefore unable to distinguish between ethical and non-ethical values.

⁵⁶ Auguste Comte, *The Positive Philosophy of Auguste Comte*, trans. Harriet Martineau, vol. 2, 2nd ed. (London, 1875), quoted in Rosenbaum, 15.

Political Significance

The notion of human rights derives its significance from its political attractiveness. It appeals partly because it is seen as an “ideal basis on which to conceptualize and organize a human community”;⁵⁷ partly because the proclamation of human rights projects on the screen of collective consciousness the idea of what it means to be human in terms of political freedom, equality and rights. Constitutional guarantees of human rights aim to provide for all members of society equal rights before the law, freedom from discrimination and liberty to enter the competitive struggle in pursuit of happiness on the same terms, while the governing unity remains the autonomous individual. Sir Stephen Sedley writes:

[Human rights] are in essence the Enlightenment’s values of possessive individualism, derived from the historic paradigm, which has shaped our world of the conscious human actor whose natural enemy is the state—a necessary evil—and in whose maximum personal liberty lies the maximum benefit for society.⁵⁸

This liberal conception stood from the beginning opposed to the ideology of socialism that was built on the political institution of the collective, the classless society with its greater emphasis on interdependence. Its price was the abrogation of private property and the collective ownership of the means of production. Socialist equality became social rather than political equality. The sharp ideological conflict that was brewing at the end of the nineteenth century when these developments were still in the making, found its political expression in the Cold War.

Rising nationalism, international rivalry for a share of the non-industrialized world and ruthless economic competition which shaped the beginning of the twentieth century, relegated the philosophical question of natural rights a lower priority, at least temporarily. In the ensuing decades, and as a reaction against positivism, the renewed philosophical discussion of human rights attacked both the liberal idea of individual rights and the liberal conception of the state.⁵⁹

⁵⁷ Rosenbaum, “Introduction”, 5.

⁵⁸ Sir Stephen Sedley, “Human Rights: A 21st Century Agenda”, in *Human Rights for the 21st Century*, ed. Robert Blackburn and James J. Busuttil (London; Washington: Pinter, 1997), 1.

⁵⁹ Rosenbaum, “Introduction,” 21.

After the horrors of World War II, interest in the doctrine of natural human rights revived mainly as a backlash against the collectivist totalitarianism of the Nazi regime with its avowed militarism and racism, its flagrant abuse of moral ideals for ideological purposes and utter disrespect for individual values. At that time, the United Nations became the primary forum for the continuing human rights debate, and the Nürnberg trials prosecuted for the first time in history “crimes against humanity”. This signaled another important shift in the human rights discourse. Politics and law rather than philosophy moved into the forefront of defining the notion of human rights and have remained there ever since. Rosenbaum’s observation is relevant:

Although the modern mainstream “scientific” philosophies (naturalism, positivism, and pragmatism) have certainly reflected the prestigious achievements of science, they also have fostered an atmosphere in which there is at least tacit reluctance to explore ideas beyond language, logic, or empirical fact. It has been common to dismiss non-empirical notions such as ... human rights as being “non-scientific,” metaphysical, or speculative nonsense; ethics had been separated from scientific philosophical considerations, unless ethical ideas could be found to have empirical significance ...⁶⁰

This is the soil that incubated the contemporary notion of human rights. It leaves us in no doubt about the mindset that theorists have adopted and the difficulties it has wrought both in settling the meaning of human rights and in addressing the question why rights should be attributed to humans in the first place. While these questions will be explored more fully in later chapters, two further aspects may be profitably mentioned at this point.

The state, even a benign liberal state, cannot exist without force. As Jacques Ellul notes, by relinquishing force “it would condemn itself to disappear and be replaced by another state that would show less compunction”.⁶¹ Yet, human rights norms rely on the force of the state for implementation, posing an insurmountable ambiguity for human rights.

This ambiguity also characterizes the language of rights. While it certainly expresses, at least in principle, the highest human ideals, its logic tends to absolutize

⁶⁰ Rosenbaum, “Introduction,” 23-24.

⁶¹ Jacques Ellul, *The Political Illusion*, trans. Konrad Kellen (New York: Alfred A. Knopf, 1967), 77.

that which should remain relative so that the ideal is in danger of deteriorating into an ideology and thus potentially into an instrument of violence.⁶²

Conceptualizing Human Rights

In order to shed some light into the meaning of human rights, one must step back from the term as it is used in diplomatic or political parlance. The question is how “rights” may be conceptualized and how such conceptualization may be validated.

Alan White identifies the challenge involved in raising the question of definition. Rights are not entities that can be defined in a reductionist fashion. He writes:

The notion of a right cannot ... be explained either as referring to or denoting any kind of entity—though statements about them may be true or false and, because of this, be factual—or as being equivalent to or mutually implicative with any of the notions with which it commonly keeps company, such as *duty*, or *obligation*, *ought*, *liberty*, *power*, *privilege*, or *claim*. Nor can it be reduced to the notion of *right* or *wrong*. This is not to say that the notion of right cannot be understood by reference to these other notions ... But the notion of right is ... as primitive as any of these other notions and cannot, therefore, be reduced to or made equivalent to any one or any set of them (original emphasis).⁶³

If rights are not entities, how shall we understand them? Are they a mere language game around some cherished aspirations or in the famous words of Jeremy Bentham, just “non-sense upon stilts”? Are they prescriptive exhortations to take “primary moral responsibility for all other persons”, as Aiken has suggested?⁶⁴

Both approaches are unsatisfactory. The former does not take seriously what is at stake in the contemporary human rights discourse, while the latter fails to answer such questions as to how the meaning of rights is generated, whether they have moral foundations, and what rules and values should govern their formation.

To focus this issue more clearly, one might ask what rights are not. Often rights are confused with wants. In today’s consumerist climate, wants have been

⁶² Stanley Hauerwas, *The Peaceable Kingdom: A Primer in Christian Ethics* (London: SCM Press, 1983), 61.

⁶³ Alan White, *Rights* (Oxford: Clarendon Press, 1984), 173.

⁶⁴ Henry D. Aiken, “Rights, Human or Otherwise”, *The Monist* 52:4 (October 1968), 515.

elevated to rights. Individuals and groups indiscriminately use political and legal pressure on society to grant them the satisfaction of their desires.⁶⁵

But if rights are not wants, can one derive a conception of rights from needs, even from legitimate ones such as the need for food and shelter? While children everywhere have obviously the basic and legitimate need for adequate nutrition, housing and care, can these be claimed as rights?⁶⁶ If needs are constitutive of positive rights, who has the universal obligation to meet them? Certainly, if my basic needs are met, it is good for me, but does what is valuable for my well-being demonstrate the logical connection between a need and a claim to a right? Alan White has rightly rejected such a link.⁶⁷ An epistemology of rights that took into account the diversity of human needs in all their varying individual and cultural plurality would surely stand on unstable foundations.

Hart's comment that the notion of a "legal right" has shown itself to be a highly elusive concept does not make the definitional problem easier. We encounter this elusiveness not just in how theorists have divided rights theories into "Will" theories and "Interest" theories, but also "from some of the interesting though strange things that jurists and others have said about rights".⁶⁸

The theorist who more than any other has acknowledged the ambiguity of rights in the legal literature was Hohfeld. He noted that the term "right" was being used rather indiscriminately to cover what in a given case may be a privilege, a power, or an immunity, rather than a right in the strict sense.⁶⁹ In Hohfeld's understanding, rights are entitlements with a correlative duty on the part of the right

⁶⁵ Cronin cites two cases that show how endemic and nonsensical this confusion of wants and rights has become. In Japan a man sued the owners of a high-rise building for the right to sunshine, while Fijian gold miners have demanded the right to a sex-break during their lunch hour. The equation 'wants equal rights' simply does not hold (Kieran Cronin, *Rights and Christian Ethics* [Cambridge: Cambridge University Press, 1992], xx).

⁶⁶ They are rights according to the *Universal Declaration of the Rights of the Child* (1959).

⁶⁷ White, *Rights*, 173.

⁶⁸ Herbert L. A. Hart, *Essays on Bentham: Studies in Jurisprudence and Political Theory* (Oxford: Clarendon Press, 1982), 162. It is interesting to note Hart's position in that he is critical of authors who treat the notion of rights with more skepticism than duties and obligations.

⁶⁹ Wesley N. Hohfeld, *Fundamental Legal Conceptions as Applied in Judicial Reasoning and Other Legal Essays*, ed. Wheeler Cook (New Haven: Yale University Press, 1923), 35 ff.

holder. Applied to the UDHR, one could classify civil and political liberties as entitlements in the strict sense of Hohfeld's analysis (Articles 3 – 21).⁷⁰ They restrain governments of the state from infringing the liberties of their subjects and exist, therefore, as a form of immunity right. The same may not be said of the so-called economic and social rights (Articles 22 – 28).⁷¹ To secure them for their subjects, governments have to take positive legislative and administrative action. This ambiguity has prompted some theorists to call only the first set of rights true human rights.⁷² Cranston writes,

[t]he effect of the Universal Declaration which is so overloaded with affirmations of so-called rights which are not human rights at all is to push *all* talk about human rights out of the clear realm of the morally compelling into the twilight of utopian aspiration.⁷³

Cranston's point is that economic and social rights are not universal rights because they cannot be regarded as universal moral duties for all human beings, although they may remain morally obligatory for some. Hence, the text of the UDHR is vitiated by its failure to recognize that economic and social rights are not universal human rights. If they are rights at all, argues Cranston, they are local, regional, tribal and national rights.⁷⁴

At the same time, human rights are said to be inseparable. This differentiation into first and second generation rights has spawned many well-known conflicts among U.N. member states and has led to an almost unbridgeable gulf between rich and poor nations.

⁷⁰ Appendix 1.

⁷¹ *Ibid.*

⁷² Maurice Cranston, "Human Rights, Real and Supposed", in *Political Theories and the Rights of Man*, ed. D. D. Raphael (London: MacMillan, 1967), 43-53; "Human Rights: A Reply to Professor Raphael", 95-100; Anthony Flew, "What is a Right?" *Georgia Law Review* 13:4 (Summer 1974), 1134-41; R. S. Downie, "Social Equality", in *The Philosophy of Human Rights: International Perspectives*, ed. A. S. Rosenbaum (Westport, Conn.: Greenwood Press, 1980), 127-35; Richard Wasserstrom, "Rights, Human Rights, and Racial Discrimination", in *Human Rights*, ed. A. Melden (Belmont, CA: Wadsworth, 1970), 96-101; by implication also Robert Nozick, *Anarchy, State, and Utopia* (Oxford: Basil Blackwell, 1974) in his discussion of Rawls' *Theory of Justice* on pp. 194ff.

⁷³ Cranston, "Human Rights, Real and Supposed", 52.

⁷⁴ *Ibid.*

Watson has argued that the so-called second-generation rights (economic and social rights) warrant as much inclusion in the notion of human rights as first generation rights (civil and political liberties).⁷⁵ From this White has concluded that the perceived differences are not differences in the notion of rights as such, but differences in the way rights are qualified.⁷⁶

I have already mentioned the “Will Theory” and “Interest Theory” of human rights. According to Hart, an eminent advocate of the former, legal rights and duties confer upon the individual the power to “avail themselves of the law’s coercive machinery”.⁷⁷ This understanding places the capacity of the individual to lay claim to rights in the forefront of the definition. Under this theory, a person has the legally protected choice to demand the execution of a duty, which choice they are also free to waive. In this definition, rights and duties become “hard-wired” into one and the same concept. But since neither all rights are linked to a duty and vice versa, nor are all people always capable of exercising their claims or their powers of waiver while retaining their rights, this theory has been criticized, notably by White⁷⁸ and also by MacCormick.⁷⁹

Similarly, the notion that rights are claims is derived from the same theory. But it too fails the test of logic, for claims and rights are not identical. One may have a right but not claim it; conversely, one may make a claim but have no right to what is claimed. Even the granting of a claim does not imply the existence of an *a priori* right to what has been claimed. White puts it this way: “... having a right to something and having a claim to it are not mutually implicative nor, therefore, equivalent notions”.⁸⁰

⁷⁵ David Watson, “Welfare Rights and Human Rights”, *Journal of Social Policy* 6:1(1977), 31- 46; see also Cranston, 96ff.

⁷⁶ White, *Rights*, 172.

⁷⁷ H. L. A. Hart, *The Concept of Law*, second edition, with a postscript edited by Penelope Bullock and Joseph Raz (Oxford: Clarendon Press, 1994), 269.

⁷⁸ White, *Rights*, 132.

⁷⁹ Neil MacCormick, *Legal Right and Social Democracy* (Oxford: Clarendon Press, 1982).

⁸⁰ White, *Rights*, 132.

The legal theorist who dealt a deathblow to the “Will Theory” was Neil MacCormick. He argued that the interests of children “without any correlative duty actual or potential” on their part were being protected by both law and morality – like the right to life, to property and inheritance. According to MacCormick, having a right means the imposition of normative constraints that protect one's interests as a human being. In the case of children, MacCormick holds that children have the right to be nurtured, cared for, and possibly loved until they are able to care for themselves. In his argument, he refers primarily to the moral rights of children which are by no means recognized everywhere as legal rights, and he rightly points out that where this is not the case the legal system is morally deficient.⁸¹

But is it justified to include the moral obligation towards children in the meaning of the noun “right”? MacCormick's answers, “Yes.” He points to the deficiencies of the “Will Theory” and argues that to omit them would confuse the substantive right with remedial provisions and constitute rights as dependent on having “the normative power over the duties of others”.⁸²

In comparison with the “Will Theory”, MacCormick's “Interest Theory” has the advantage that it does not elevate the notion “where there is remedy there is a legal right” to the level of truth for the purpose of defining human rights. However, the interest theory too has been shown to be wanting in clarity. It can be and has been used to advocate the inclusion of a variety of interests in the name of rights, such as the rights of animals, the rights of the environment, even the rights of inanimate objects.⁸³ In the latter case, the idea of rights is so trivialized as to make it unworkable. We can leave to one side the idealism that spawns such attempts towards the widest possible inclusivity in the definition of rights. What is important is that the essential question why such rights should exist and how they should be attributed to persons and/or objects is being ignored.

MacCormick's argument that the bestowal of rights on children comes

⁸¹ MacCormick, *Legal Right*, 154-55.

⁸² *Ibid.*, 156.

⁸³ According to Christopher Stone's popular book, *Should Trees Have Standing? Towards Legal Rights of Natural Objects* (New York: Avon, 1975), everything is imbued with a universal consciousness.

logically before children's duties implies, however, that there is something at the source of this bestowal that is of human value. He makes rightly children's rights "a test case for rival theories of rights in general" and thereby rejects the positivist ideas of Austin and Bentham who excluded moral rights from the notion of rights altogether and re-injects the human element into the discourse of rights definitions.⁸⁴

A more radical analysis has come from Catholic moral philosopher Alasdair MacIntyre who holds that belief in natural rights belongs to the same fictitious category as "belief in witches and in unicorns".⁸⁵ He argues that every attempt to justify natural rights has failed. And if eighteenth-century defenders assert that such rights exist as "self-evident truths", their claim must be denied for the simple reason that there are no self-evident truths. Because, in the twentieth century, moral philosophy has shifted the appeal to "intuition", it is not surprising that since the adoption of the Universal Declaration of Human Rights in 1948 common U.N. practice "of not giving good reason for *any* assertions whatsoever is rigorously followed". While human rights are fictions, MacIntyre points out, they are fictions with "highly specific properties" that go back to another fiction, that of "utility". With this term eighteenth-century utilitarians from Bentham to Mill have attempted to sum up what people pursue and value. But if these objects are objects of desire (natural or "educated"), their "irreducible heterogenous" character will not allow them to be summed up which only proves that they were resorting to fiction. With this background in mind, MacIntyre argues that the entire notion of rights only served a single purpose, to underpin "the social invention of the autonomous moral agent". Put differently, they functioned as artificial substitutions for traditional morality. Unsurprisingly they do not enable moral arbitration between conflicting claims of rights *versus* utility or traditional concepts of justice.⁸⁶

As we see from this array of proposals, the notion of rights does not enjoy a broad-based consensus as to its meaning. But if we do not know what rights are, how do we know that they are inalienable and universal?

⁸⁴ In making his point about children's rights, MacCormick is at pains to show that he is not to be understood as advocating infantile licentiousness (MacCormick, *Legal Right*, 166).

⁸⁵ MacIntyre, *After Virtue*, 67.

⁸⁶ *Ibid.*, 67-68.

We have reached the point where we must deepen the inquiry. There is first the question whether “connotation” implies “designation”. If rights are not entities, are they merely fictional, as Bentham and MacIntyre have charged? If so, they have “connotation” but not “designation”.⁸⁷ But White has argued that “rights” are neither physical, nor mental nor *fictional* entities. Rather, they are derived from the *language* of rights and must not be abstracted from their functional meaning. Sentences using the word “rights” may still convey what is true even if we cannot give a definition of the noun itself.⁸⁸ Hart held a similar view. He maintained that the full function of words like right, state, corporation can be discerned properly only from the language that employs them and one cannot demand from words abstracted from their context their “genus and differentia”.⁸⁹ But this approach, which relies on language rather than on formal definitions, no longer asks the question “What are rights?” but “How is the term used in a moral or legal system?” It seeks to avoid the problem of being specific on the grounds that it could introduce fictitious elements into the idea of rights that could falsify the notion.⁹⁰

Second, Cronin (relying on Waismann) holds that the concept of rights is an “open-texture concept”. This means, no matter how sophisticated our definitions may be, their delimitation can never be made so precise as to exclude all unforeseen possibilities. Therefore, concepts such as “rights” need to be defined and redefined within each situation as it arises in history. But Waismann’s idea of *Porosität der Begriffe* inserts a high degree of vagueness into the language of rights so that the human rights discourse may be said to have been reduced to “rhetoric and wishful thinking”.⁹¹

The foregoing range of ideas only exacerbates the need for clarification. It seems to me that the key are two mutually implicative aspects of “rights”. First, the very notion of “rights” is related to the phenomenon of human desire. Second, since

⁸⁷ Cronin, *Rights and Christian Ethics*, 8.

⁸⁸ *Ibid.*

⁸⁹ Hart, *Concepts of Law*, 15-17.

⁹⁰ Cronin, *Rights and Christian Ethics*, 9.

⁹¹ *Ibid.*, 10-11.

desire is naturally acquisitive, our longing for freedom, immunity, welfare, community, civic goods, property, and so on inevitably gives rise to conflicts of interests which are reflected in the employment of human rights language itself. Such language is only pertinent in situations of conflict in human relationships. Claiming rights and entitlements makes sense only because people do wrong to each other.

From a Christian perspective, the language of rights is predicated on human fallenness. While I am not saying that human fallenness is the cause of human rights language, the argument is not unfounded that the mere emergence of the notion of rights in legal discourse indicates that we are dealing with a moral condition to which human rights are, if not the cure, then at least the symptom.

To summarize the main threads of this discussion: rights are neither wants nor needs, nor can their meaning be derived from associated notions such as obligation and duties. Also, the scope and function of rights cannot be clarified by drawing elaborate lines of distinctions around words abstracted from the discourse of rights but only from within the discourse itself. As an “open-texture concept” the meaning of rights will change over time and needs clarification relative to the historical context in which it is used. Rights are also thought to bring resolutions to conflicts of desire and to mutual animosity. In the latter case, the invocation of “rights” seeks to forestall the arbitrary and destructive results which the free play of human desire might otherwise inflict on individuals and society. In other words, at the root of the notion of “rights” we find, not an abstract legal concept, but an implied action, namely the enforceable limitation of desire, in particular the prohibition of certain acts of hostility towards others that would occur if “rights” did not exist.

If the notion of rights does not begin with a mental or even a moral construct such as the expectation of a resolved conflict or a social ideal, the discussion does not answer the question of the how “rights” may be founded. What is important in the context of this thesis, however, is that the concept of “rights” finds its particular relevance in conflicts of interest or under conditions of actual or potential rivalry so that the notion of rights may be perceived as a paradoxical sign which points to a

relational crisis.⁹²

THE HUMAN RIGHTS REGIME

History

In the contemporary idea of human rights as enunciated in the UDHR we meet the youngest progeny of an impressive lineage whose ancestors in centuries past had expressed the notion of fundamental human freedoms. What is new in the Declaration is its global vision and international scope.⁹³

In the modern period, the earliest predecessors of the Declaration are the *Habeas Corpus Act* of 1679 and the *Bill of Rights* of 1689. These were followed a century later by the American *Declaration of Independence* of 1776 and the US *Constitution* of 1787. The *Déclaration des Droits de l'Homme et du Citoyen* of 1789, born in the bloodbath of the French Revolution, belongs to the same thrust of history, likewise the *Constitution of the Kingdom of the Netherlands* of 1815 and, a century later, after the just as bloody Bolshevik Revolution, the *Constitution of the USSR* of 1936.⁹⁴ Two other important documents might possibly qualify for inclusion in this genealogy – the *Treaty of Paris* (1814) and the *International Slavery Convention* (1926), both designed to combat and suppress slavery.

What catalyzed the nations of the world, especially the USA, Great Britain, France and the USSR to undertake this most recent effort to which we owe the UDHR were the atrocities committed before and during World War II and the post-war power-political interests of the Allies.

Already before the war ended, its destructive force had generated an international climate that made possible a broad affirmation of essential human

⁹² See Eric Gans, *Signs of Paradox: Irony, Resentment, and Other Mimetic Structures* (Stanford: Stanford University Press, 1997), 4. Or, in our context, the victim of the crisis becomes the universal signifier of all human rights language.

⁹³ See also Burns H. Weston, "Human Rights", *Encyclopaedia Britannica* (accessed 27 November 2002); available from <http://search.eb.com/eb/article?eu=109242>

⁹⁴ F. M. Asbeck, Baron van, *The Universal Declaration of Human Rights and Its Predecessors (1679-1948)* (Leiden: E. J. Brill, 1949).

freedoms. In June 1941, nine European governments-in-exile had joined Great Britain and the Commonwealth of Nations in signing a statement that the only basis for lasting peace was a willing cooperation of nations that was free from aggression. This became known as the *Inter-Allied Declaration*. In August 1941, Roosevelt and Churchill signed the *Atlantic Charter*.⁹⁵

Five months later, at a meeting in Washington attended by the USA, Great Britain, China and Russia, another document was issued which became known as the *Declaration by the United Nations*. In December 1943, the Allies agreed that an international organization should be formed as soon as possible. They jointly sponsored the San Francisco Conference of March 1945 to which 51 nations were invited. At that Conference, participants agreed in principle that to prevent future aggression an international organization was needed that would assure the stability of post-war boundaries and mediate in disputes between nations. Three months later the United Nations was born, and its Charter was signed on 26 June 1945. It included clear references to human rights and freedoms.⁹⁶

Already the San Francisco Conference had affirmed these rights for all “without distinction as to race, sex, language and religion”.⁹⁷ It included a commitment to establish a Commission for the promotion of human rights with the mandate to draft an international bill of rights. This Commission met for the first time on 27 January 1947 with Eleanor Roosevelt as Chair. An eight-nation drafting committee was appointed comprising Australia, Chile, China, France, Great Britain, Lebanon, USA and the USSR.⁹⁸

⁹⁵ Lester B. Pearson, “United Nations”, in *Word Book Encyclopaedia*, U-V, vol. 19 (London; New York; Toronto: Field Enterprises Educational Corporation, 1968), 24-41.

⁹⁶ *Ibid.*

⁹⁷ John P. Humphrey, “The Universal Declaration of Human Rights: Its History, Impact and Juridical Character”, in *Human Rights: Thirty Years After the Universal Declaration*, ed. B. G. Ramcharan (The Hague; Boston; London: Martinus Nijhoff, 1979), 21. Prof. John Humphrey is the former Director of the United Nations Division of Human Rights and was responsible for the first draft of the Declaration.

⁹⁸ Humphrey, “The Universal Declaration,” 23; Johannes Morsink, *The Universal Declaration of Human Rights: Origins, Drafting and Intent* (Philadelphia: University of Pennsylvania Press, 1998), 5.

Over the next two years the committee pursued the task of giving concrete expression to the aspirations of the nations for the promotion and protection of human rights. The arduous and often painful drafting process involved seven stages during which governments, legislators, U.N. officials, diplomats, law professors and philosophers of every conceivable tradition scrutinized the text.⁹⁹

Given the differences in world views, the “deep freeze” in international relations during the Cold War, not to mention the personal animosities and rivalries among members, it was a remarkable achievement indeed that the Commission accomplished its goal and produced an international bill of rights with the visionary title *The Universal Declaration of Human Rights*.¹⁰⁰

The Declaration spells out the three fundamental rights of human beings: the right to life, the right to liberty and the right to security.¹⁰¹ In thirty Articles it lays down the principles of civil, political, economic and cultural rights in language that expresses the universal longing of humanity for peace, mutual respect and the absence of violence.

The full text of the Declaration was adopted by the General Assembly on 10 December 1948 with forty-eight votes in favor, eight abstentions and no dissenting vote. The Soviet Block abstained, so did Saudi Arabia¹⁰² and South Africa.¹⁰³

From the beginning, the UDHR was hailed as one of the great documents of mankind, equal in importance to such famous documents as the Magna Carta and the Bill of Rights. Its adoption, Humphrey wrote, “took on immediately a moral and political authority not possessed by any other contemporary international instrument

⁹⁹ On the seven stages of the drafting process see Morsink, *The Universal Declaration*, 4-12.

¹⁰⁰ For a detailed account of the inner workings of the drafting committee see John P. Humphrey, *Human Rights and the United Nations: A Great Adventure* (Dobbs Ferry, N.Y.: Hutchinson, 1959).

¹⁰¹ Article 3 of the UDHR (see Appendix 1).

¹⁰² Under the UDHR religious liberty includes the right to change one’s religious affiliation. But nations with large Muslim populations had objected to the inclusion of this right during the drafting stage because the Koran prohibits apostasy. Glendon adds that “deep resentment of Christian missionary activity” was also a factor which, together with the above, gave rise to Saudi Arabia’s abstention (Glendon, *A World Made New*, 70).

¹⁰³ Glendon, *A World Made New*, 169-70

with the exceptions of the [U.N.] Charter itself”. Famous international lawyer Louis Henkin commented with similar enthusiasm, “It ranks with the U.N. Charter as one of the most respected international documents”.¹⁰⁴

In principle, the UDHR obliges U.N. members to safeguard people’s personal security and welfare, and to protect them from the trauma of genocide, oppression, torture and others forms of degrading treatment. In other words, when they conceived of the UDHR, the drafters raised clear expectations of measurable outcomes, and not just in the distant future. Human rights protection was then, as it is now, a matter of life and death.

At first, the question of actual performance and implementation of human rights codes did not rank highly on the international agenda. No specific human rights abuses apart from slavery and genocide were proscribed. The nations by taking shelter behind Article 2 (7) of the U.N. Charter argued that human rights were strictly a domestic affair. How the nations sidestepped the question of implementation from the beginning may be gauged by the way they dealt with the flood of human rights complaints the U.N. received annually. The procedural maze they established was dubbed by the head to the U.N. Human Rights Secretariat as “then world’s most elaborate waste-paper basket”.¹⁰⁵ It was not until the 1960s that U.N. agencies began to challenge human rights behavior of member states.¹⁰⁶

Neither was serious attention given to continuing human rights abuses as a topic for academic study. A real turn-around occurred only the 1970s and 1980s. It coincided with an increase in the scope of surveillance and reporting activities by non-government organizations (NGOs).¹⁰⁷ In the light of the moral urgency with

¹⁰⁴ Alston quoting Henkin; cf. Philip Alston, “The Fortieth Anniversary of the Universal Declaration of Human Rights: A Time for More Reflection Than for Celebration”, in *Human Rights in a Pluralist World: Individuals and Collectivities*, ed. J. Berting, *et al.* (Westport, CT; London; The Hague: Merkler; UNESCO, 1990), 2.

¹⁰⁵ Philip Alston, “The UN’s Human Rights Record: From San Francisco to Vienna and Beyond”, *Human Rights Quarterly* 16 (1994), 375-90.

¹⁰⁶ Ignatieff, *Human Rights as Politics and Idolatry*, 11.

¹⁰⁷ Andrew D. McNitt, “Some Thoughts on the Systematic Measurement of the Abuse of Human Rights”, in *Human Rights: Theory and Measurement*, ed. David Louis Cingranelli (London: McMillan Press, in association with the Policy Studies Organization, 1988), 89-94.

which the first drafters went to work, this delay may be puzzling. But, as political realists had predicted, the international political system of sovereign states fiercely resisted exposure to scrutiny. It was also difficult, at least in the beginning, to substantiate human rights abuses with actual numbers for tortures, rape cases, indiscriminate killings, oppressive practices. Over time reporting improved, however, as U.N. agencies and NGOs moved their field units closer to the victims.¹⁰⁸

Not only has the Declaration become the international standard for the human rights performance of nations, but it also exerts normative and binding force on international law in human rights matters. Today, the principles have found their way into no less than 90 national constitutions and have given rise to a collection of international human rights instrument in the form of treaties, covenants, conventions and protocols like the *International Convention on Asylum* (1951), the *U.N. Declaration Against Torture* (1975), the *International Covenant of Civil and Political Rights* (1976), the *International Covenant on Economic, Social and Cultural Rights* (1976), while the first “flagship instrument”, the *Genocide Convention*, was adopted one day prior to the adoption of the UDHR itself on 9 December 1945.

Since the U.N. Charter in its general reference does not specify the content of human rights, the Declaration has been used as the authoritative interpretation of the Charter. Participating states are expected to regard the Declaration as “giving rise to legally binding obligations”.¹⁰⁹

In other words, it was believed that human rights norms had been sufficiently legitimated and accepted that by end of the Cold War all that seemed left to do was to fine-tune implementational procedures and draft appropriate international laws.¹¹⁰

Yet, despite the optimism and the enormous international effort, massive human rights violations are nearly a commonplace. They fill our daily papers, and the media describe them in graphic reports. Some commentators have offered the

¹⁰⁸ See such documents as the Annual Reports of Amnesty International or other human rights organizations.

¹⁰⁹ Humphrey, "The Universal Declaration," 28-37.

¹¹⁰ Tony Evans, *The Politics of Human Rights: A Global Perspective* (London: Pluto Press, 2001), 16.

explanation that the world's enthusiasm for setting human rights standards far outruns the desire to implement them.¹¹¹ Others have pointed to political/structural issues that actually foster a climate of rights violations.

These and related issues will be explored in what follows. The perspective I have taken is that human rights declarations prove their true worth only as far as they actually shield the powerless of the earth from torture, tyranny, deprivation and destitution.

Regional Systems

Formally, the global human rights system is largely constituted by U.N. bodies, the treaty system and the governments of member states. Regional systems contribute to the global system and function as intermediaries between the international human rights law and the state institutions charged with the implementation of human rights standards.

According to Shelton, a human rights system consists of “a list of lists of internationally guaranteed human rights, permanent institutions and compliance or enforcement procedures”.¹¹² Regional systems offer a number of advantages, such as flexibility and responsiveness to region-specific needs which the global system would be unable to address,¹¹³ but they are also causes for a range of problems that contribute to the failure of the system.

Diverse historical and political factors gave rise to the development of regional human rights systems. One element was frustration with the U.N.'s failure to produce an international treaty system. During the first two decades it became

¹¹¹ Upendra Baxi, “Voices of Suffering, Fragmented Universality, and the Future of Human Rights”, in *The Future of International Human Rights*, ed. Burns H. Weston and Stephen P. Marks (Ardsley, New York: Transnational Publishers, 1999), 101-56. Baxi asks what value may be found in the “endless normativity” and who is to benefit from the inflation of human rights norms (p. 116-117).

¹¹² Dinah Shelton, “The Promise of Regional Human Rights Systems”, in *The Future of International Human Rights*, ed. Burns H. Weston and Stephen P. Marks (Ardsley, New York: Transnational Publishers, 1999), 352.

¹¹³ *Ibid.*, 353.

obvious that compliance at the global level would be too weak to have any regional impact.¹¹⁴

The Americas

These nations had always taken a regional approach to international issues even before the formation of the U.N. and they simply carried the same idea into their human rights agenda. Several months before the U.N. had completed the draft of the UDHR, the Organization of the American States had adopted their own *Declaration on the Rights and Duties of Man* on which the *Inter-American Convention on Human Rights* of 1978 was built. It was followed by a string of other conventions covering protection against torture (1985); economic, social and cultural rights (1988); the death penalty (1990); violence against women (1994); forced disappearances (1994); the rights of indigenous people (1998).¹¹⁵

Europe

In the context of European reconstruction after World War II, Europe sought international guarantees and the European Convention on Human Rights was ratified in 1953. From the start, the European system took a conservative approach to gain the widest possible concurrence, which was later progressively modified. It was also the first system that established its own human rights court. The *European Convention for the Prevention of Torture* dates from 1987, the *Conventions for the Protection of Minority Languages and for Minorities* from 1995, and the *Convention of Human Rights and Biomedicine* was given assent in 1997.¹¹⁶

Africa

Postcolonial African states pressed for self-determination and human rights became part of the agenda, partly spurred on by the repressive practices of South African government under the policy of apartheid. The *African Charter of Human and*

¹¹⁴ Shelton, "Regional Systems," 354.

¹¹⁵ *Ibid.*, 359-61.

¹¹⁶ *Ibid.*, 356-57.

People's Rights emerged in 1981. The African convention differs from its Inter-American and European counterparts by its emphasis on economic, social and cultural rights.¹¹⁷

Arab States

The League of Arab States approved an *Arab Human Rights Charter* in 1994. It requires the adoption by seven states before it comes into force. While the Charter provides for a Commission of Human Rights, its competence is limited to a reporting function. Beyond that, no other measures of human rights protection are specified. The Arab Charter differs considerably from its international counterparts in many essential respects. Moreover, there exists such a “great division among the states in their willingness to accept and give effect to international human rights law”¹¹⁸ that it is unlikely for a Middle East regional system to emerge in the foreseeable future.

A decade later, in 2004, the League adopted a revised version of the 1994 document. While a number of recommendations made by NGOs were reflected in the final text, the new Charter still falls short of international human rights law, according to Amnesty International.¹¹⁹

Asia-Pacific Region

No regional system exists in this part of the world. At an U.N.-sponsored workshop in 1996 the thirty participating nations concluded that it was “premature to discuss specific arrangements in relation to a formal human rights mechanism”.¹²⁰

Problems in Regional Systems

Regional systems give rise to considerable diversity in emphasis and interpretation of human rights. For instance, the Arab Charter omits reference to slavery, although it

¹¹⁷ Shelton, “Regional Systems,” 361.

¹¹⁸ *Ibid.*, 362.

¹¹⁹ Amnesty International (AI), *Annual Report 2005: Middle East-North Africa*, (Geneva, 2005, accessed 24 November 2005); available from <http://web.amnesty.org/report2005/2md-index-eng>

¹²⁰ Shelton, “Regional Systems”, 363.

disallows forced labor. It limits political rights of citizens by not conceding the right to free and fair elections. The European system is more concerned with due process, while the Inter-American system focuses on democracy, the rule of law and the right of citizens to participate in government. The evolutionary character of these systems and as a result of mutual cross-referencing new rights and guarantees were added by way of subsequent protocols. One of the main problems of regional systems is the discrepancy between their expanding work and shrinking resources. By 1993/94 the European system had a backlog of 3100 cases; in the Inter-American system, a staff of twelve lawyers faced a case load of approximately 1000 cases in 1998, while the African system finds itself in a perpetual budgetary crisis as member states default on their contributions. What is more, the diversity of emphasis has also given rise to a “proliferation of institutions, divergent jurisprudence and conflicting obligations”.¹²¹

Emerging Actors

Over more than a decade, new institutions have been emerging that may represent a new trend in the implementation of international human rights law: the appearance of National Human Rights Institutions (NHRIs). These are government agencies charged with the task of implementing international human rights norms domestically. Such agencies have increased fourfold since the early 1990s and are working in nearly 100 countries. They have become increasingly important players with formal international standing of their own.¹²²

However, this development may turn out to be a double-edged sword. While their emergence has been hailed as the long-awaited link between international norms and their local application, they also represent a formidable challenge for the nation state, and even have “perverse consequences”, as Sonia Cardenas notes, simply because they will most likely raise human rights expectations which the state may be unable or unwilling to meet. Should the state feel threatened by this international presence on its territory, this may lead to the “re-assertion of state authority”, possibly diminishing human rights protection at state level. It remains an

¹²¹ Shelton, “Regional Systems”, 395.

¹²² Sonia Cardenas, “Emerging Global Actors: The United Nations and National Human Rights Institutions”, *Global Governance* 9, no. 1 (2003), 23ff.

open question whether these effects will indeed occur. What is relevant from the perspective of this thesis is that a trans-governmental human rights network is emerging whose work in implementing the global agenda may potentially rival the interests of the state.

INTERNATIONAL DUPLICITY

Games Nations Play

The issue of an international moral consensus was tested during the drafting process of the UDHR when the question was debated whether the declaration was to have legally binding character or not. Chief drafters John Humphrey and René Cassin as well as Eleanor Roosevelt strongly believed in the power of moral persuasion. They were convinced that the moral force of the Declaration would be sufficient in itself to raise human rights consciousness around the world, and that the development of instruments of implementation could be treated as of lower priority. Those who were less idealistic argued that human rights had to be expressed in a world of power and resistance to power.¹²³

US policy steered deliberately away from creating a document that would oblige the USA to submit to international scrutiny. For the US State Department, the UDHR was primarily a rhetorical device to help secure publicity in cases of gross violations (by others), while the Soviet Block regarded human rights as a useful tool in the quest to spread socialist doctrine through the world. The British Foreign Office, on the other hand, saw human rights as an export commodity and as a welcome political weapon against the Soviet Union. What the USA, the USSR and others had in common, however, was their fear of infringement of their sovereignty, although the U.N. Charter clearly envisages intervention. This fear led to a defensive and moralizing posture that hid behind the lofty words of the UDHR.¹²⁴

¹²³ Glendon, *A World Made New*, 86.

¹²⁴ The USA and the USSR frequently “traded charges of human rights violations while overlooking their own and those of their client states” (Glendon, *A World Made New*, 214).

These conflict-laden beginnings naturally set the stage for the implementation debate. When the lines in international relations hardened during the Cold War,¹²⁵ new complexities for human rights appeared. Moreover, as newly emancipated (post-colonial) nations gained U.N. membership, a new balance of power formed in the fora of the United Nations. These nations often voted with the Soviet Block against their former “masters”. Consequently progress towards agreements on enforcement was exceedingly slow. It took nineteen years before the first two binding conventions were opened for signature, and another ten before there were enough signatures to put them into effect.

Despite these many difficulties, the nations persisted with the human rights debate, more out of hegemonic interest in the emerging post-war world order than out of a real concern for the victims of human rights abuses. This false consensus or *danse macabre* (as one commentator called it)¹²⁶ was unable to curb the politics of cruelty and violence which the nations practiced at home and abroad despite ongoing human rights talk inside the U.N. Chambers.

Four examples illustrate the unabashed political gamesmanship that has become associated with the propagation of human rights. There is first the abuse of derogation. The UDHR has no legal force on its own. Nations bind themselves legally through conventions, covenants and treaties. These become effective after they have been ratified, but participating states may limit their obligations by entering formal reservations.¹²⁷ They also may derogate entirely from their obligations in cases of “national emergency”. If national governments choose to declare or in some instances even instigate, a state of emergency, they are able to collapse the entire legal framework of human rights unchallenged “in pursuit of self-styled higher goals”.¹²⁸ States have so abused their power to derogate that recourse to emergency measures has become the norm and has served to cover up torture,

¹²⁵ It lasted approximately forty years till the collapse of the Soviet Block in 1989.

¹²⁶ Mary O’Rawe, “The United Nations: Structure versus Substance”, in *Human Rights: An Agenda for the 21st Century*, ed. Angela Hegarty and Siobhan Leonard (London; Sydney: Cavendish Publishing Company Ltd., 1999), 24.

¹²⁷ Glendon, *A World Made New*, 84.

¹²⁸ O’Rawe, “The United Nations,” 30.

killings, “disappearances” and the suspension of due process. According to O’Rawe, the self-regulation of nations envisaged by the U.N. human rights machinery has proved to be ineffective and has failed “to usher in the human rights era”. In her view, the effectiveness of international embarrassment in bringing about improvements is quite limited, mainly because all states are complicit with human rights abuses to some extent.¹²⁹ When nations are allowed to derogate with impunity, the heart of any human rights remedy is lost.

The second example illustrates the “art of concealment” and the self-deception governments have used in relation to their international human rights obligations. Lester, for instance, has criticized successive British governments for not taking their international human rights treaty obligations seriously at home.¹³⁰ Britain was the first nation to ratify the European Convention. Thereafter, for fifty years, successive governments aided and abetted by the Public Service have avoided the obligation under Article 2 of the Convention to legislate its enforcement in the domestic courts. They simply believed that British law reflected the Convention sufficiently to make this step unnecessary. This led to the incongruous situation where the European Human Rights Court reviews the rulings of British courts for compliance, while British judges were not empowered by Parliament to give effect to the Convention in their decisions. In other words, the British citizens were debarred from having breaches of their human rights (e.g. gender or religious discrimination) adjudicated by British courts. To press their claims, they had to resort to the European Human Rights Court in Strasbourg. At the same time, British governments made their regular five-yearly presentations to the U.N. Human Rights Committee in New York claiming that “the UK is fully complying with the obligations ... of the Covenant”. Lester wrote in 1997, “It is time to bring down the curtain on this comic opera ... ”¹³¹

¹²⁹ O’Rawe, “The United Nations,” 30-33.

¹³⁰ Anthony Lester, “Taking Human Rights Seriously”, in *Human Rights for the 21st Century*, ed. Robert Blackburn and James Busuttil (London; Washington: Printer, 1997), 73-85. Lord Lester is a Queen’s Counsel (1975), a Liberal Democrat peer and an expert in constitutional, administrative and European law as well as a leading human rights advocate.

¹³¹ Lester, “Taking Human Rights Seriously”, 73-76, 82, 83. Since the publication of Lester’s article, the Blair government has corrected this position and incorporated the European Human Rights Covenant in domestic legislation. See Peter Mair, “Populist Democracy versus Party Democracy”, in

A third example relates to the way the US has turned a blind eye to violations of religious freedom when it suited their military interests. In 1998 the US legislated (with an overwhelming majority in both Houses) that the promotion of religious freedoms was to be a component of US foreign policy (the *International Religious Freedom Act* or IRFA). This Act, which speaks the language of international human rights covenants and upholds the concept of universal human dignity, was to give voice to hundreds of millions of people around the world who are persecuted for their faith. It especially upholds the right to act according to conscience and confirms that Americans will stand with those whose religious freedom is denied or otherwise violated. As a matter of justice, the Act provides that violations are to be recorded and made public to show that the reign of impunity is on the way out. This legislation was designed to send a strong message of hope from the last remaining superpower to those who suffer persecution. But, as Robert Seiple notes, these good intentions do not carry over into foreign policy practice when US (military) interests are at stake. He writes:

Following the events of 9/11, security, understandably, became the top priority. The U.S. was under attack, individually and corporately. It had every right to military action ... For a comprehensive response, however, we needed a additional military staging areas, fly-over rights, shared intelligence, and, in some cases joint military operations. But in order to secure governmental permission from other nations we apparently felt the need to suspend human rights obligations from those same countries. Indeed, some of them who were egregious persecutors of religious freedom were given a “pass” on their violations in exchange for helping us to meet security concerns.¹³²

By treating religious freedoms as objects of exchange, the US betrayed the victims of persecution. Instead of standing with them, the “last remaining superpower” showed itself complicit with the persecutors, thus turning the initial message of hope into one of death-dealing nihilism.

Democracies and the Populist Challenge, ed. Yves Mény and Yves Surel (Houndmills, Basingstoke UK: New York: Palgrave, 2002), 94.

¹³² Robert A. Seiple, “Religious Freedom: A Legacy to Reclaim” in Bucar, Elizabeth M. and Barbara Barnett, ed. *Does Human Rights Need God?* (Grand Rapids, Mich.; Cambridge, U.K.: Eerdmans, 2005), 269-291, 284.

That such gamesmanship is quite common among the nations is demonstrated by the fourth example: the composition of the U.N. Commission on Human Rights (UNCHR). As mentioned, its members meet each year for six weeks to name the worst offending countries and to condemn their conduct. Yet, for years the UNCHR has shielded the perpetrators. By getting elected to membership, rogue governments were able to protect themselves from international scrutiny and criticism. In an age where repressive states have become synonymous with “terrorism,” such failure in leadership is indicative of the dangerous games the nations play and still espouse human rights ideals. Since the UNCHR has lost the moral authority to “name and shame” even gross offenders against human rights, NGOs now publish their own lists of the worst of the worst. Among them are Burma, China, Cuba, Iran, Libya, North Korea, Pakistan, Saudi Arabia, Sudan, Syria, Uzbekistan and Vietnam. But a few will even be given a slap on the wrist by the Commission. The Khartoum government committed genocide in Darfur while sitting on the UNCHR! As long as nations not committed to basic freedom occupy a seat on the Commission, its proceedings remain a politicized sham. Contrasting this with the moral strength of the first Commission chaired by Eleanor Roosevelt, throws the growing institutional decadence of the entire project into high relief. Indeed, the curtain has yet to be pulled on this tragic opera of international duplicity.

Against the background, the results of a study by L. C. Keith come as no surprise. He investigated whether it makes any difference in human rights behavior of states once they become part of the International Covenant on Civil and Political Rights. After examining 178 countries over an eighteen-year period across several human rights parameters, Keith concluded that it would be overly optimistic to expect observable impacts on human rights behavior of nations because of ratification of human rights covenants.¹³³

Many similar examples could be added, like the exceptionalism of the USA,¹³⁴ the misuse of human rights enunciations by dictatorial states¹³⁵ (nearly half

¹³³ L. C. Keith, “The United Nations Covenant on Civil and Political Rights: Does It Make A Difference in Human Rights Behavior?” *Journal for Peace Research* 36, no. 1 (1999), 95-118.

¹³⁴ Ignatieff, *Human Rights as Politics and Idolatry*, 12-14.

¹³⁵ Alston, “The Fortieth Anniversary”, 6.

of U.N. member states are ruled by non-democratic governments), and the silence over the expropriation of human rights for political ends generally.¹³⁶

What emerges is a disturbing picture of cynical political brinkmanship acted out by nations who have pledged themselves to protect and serve the welfare of their people and not harm their neighbors. Instead, they commit acts of tyranny that openly deny the common humanity of both, thus repudiating the ethos of human rights and undermining the words of their pledges. This conduct cannot but lead to barbarism, even to an uncertain future of the human rights project itself.

Despite U.N. membership, states cannot be coerced to meet their obligations.¹³⁷ Even appeals to international law do not exert the necessary influence that would change the conduct of the nations. The fault is not with the ethos, but with those who seek to maintain a monopoly on power. In this game, expediency trumps humanity; if more evidence of gamesmanship were needed, it will certainly become even clearer in the remainder of the chapter.

Arsenals of Annihilation

The age of annihilation began not with the catastrophe of Hiroshima in 1945 but in 1916 with the carnage of Verdun. From 1914 to 1918, the European powers were at each other's throats with "the naked bestiality of pure nihilism". What drove their military strategy was not hope of victory but the idea of mutual annihilation.¹³⁸ This nihilistic extermination continued in Stalin's gulag as efficiently as it did in Hitler's death camps. The USA incinerated hundreds of thousand civilians with nuclear weapons in Hiroshima and Nagasaki, while the Japanese committed countless atrocities throughout Asia. Pol Pot exterminated two million fellow Cambodians, a mere fraction of the possibly tens of millions Chinese who starved to death under

¹³⁶ Cynthia Brown, *With Friends Like These: The Americas Watch Report on Human Rights Policy in Latin America* (New York: Pantheon Books, 1985), 30.

¹³⁷ Although joint sanctions and military threat which have their own limitations and ambiguities in human rights terms, serve as a last resort.

¹³⁸ Jürgen Moltmann, "Progress and Abyss", in *The Future of Hope*, ed. Morislav Volf and William Katerberg *The Future of Hope: Christian Tradition amid Modernity and Postmodernity* (Grand Rapids; Cambridge, U.K.: Eerdmans Publishing Comp., Mich., 2004), 3-26, following German Werth, *Verdun: Die Schlacht und der Mythos* (Bergisch-Gladbach: Lübbe, [1979] 1982), 53.

Mao Tse-tung, not to mention the work of annihilation by the petty dictators of North Korea.

In the age of annihilation, Enlightenment ideals and theories of human progress simply collapse in view of the killing fields that give this age its name. If we add to this the relentless bombardment with images of mass starvation, mob violence and suicide bombings, it is not surprising that apocalyptic modes of thought are gaining in popularity and that optimism is giving way to a sense of gloom and hopelessness. Volf & Katerberg write:

Over the last three decades a major cultural shift has taken place in the attitudes of Western societies towards the future. Modernity's eclipse by post-modernity is characterized in large part by the loss of hope for a future substantially better than the present. Old optimism about human progress has given way to uncertainty and fear.¹³⁹

As global problems increase, solutions seem to become more and more elusive. How can we think of a common human future when nuclear annihilation threatens the existence of the entire race? Given the desire of the nations to possess weapons of mass destruction, what will restrain the desire for their deployment?

The most ominous threat to peace, security and human dignity remains the existence of the large arsenal of nuclear and chemical weapons. It shapes the human rights crisis at its core. This arsenal exists because member states of the U.N. developed, tested and manufactured them. Such deeds speak louder than words. The first resolution of the General Assembly in 1946 was a call for nuclear disarmament. Yet in the ensuing decade the USA and the former Soviet Union developed and made ready for deployment tens of thousand of nuclear weapons capable of destroying the world many times over.¹⁴⁰

¹³⁹ Miroslav Volf and William Katerberg, "Introduction: Retrieving Hope" in *The Future of Hope: Christian Tradition amid Modernity and Postmodernity*, ed. Miroslav Volf and William Katerberg, (Grand Rapids; Cambridge, U.K.: Eerdmans Publishing Comp., Mich., 2004), ix-xiv.

¹⁴⁰ United Nations, *A More Secure World*, 12. Around 27,000 nuclear warheads exist mainly in the USA and Russia, many on hair-trigger alert. Russia's control and command system is aging and grows less reliable every year, increasing the risk of an accidental launching. Also, poorly secured excess warheads increase the risk of terrorist groups acquiring fissile material, cf. Editorial, "Mohamed ElBaradei's Nobel Message", *The New York Times* (New York), 13 December 2005.

The threat arises from the existence of the arsenal as well as from the possible collapse of the non-proliferation treaty regime. Nuclear-weapon states are unwilling to renounce nuclear weapons and they retain the right to nuclear retaliation.¹⁴¹ Today, sixty states operate nuclear facilities, and forty possess the technical capability to develop weapons on short notice should legal constraints disappear. Diffusion of technology and the increasing volatility of the international environment make this threat imminent. The High-Level Panel Report states, “We are approaching the point where the erosion of the non-proliferation regime could become irreversible and result in a cascade of proliferation”.¹⁴²

A similar threat looms from chemical and biological weapons. Collectively the nations possess 70,000 metric tons of declared chemical weapons agents. Although the nations have agreed to destroy these stockpiles, to date less than one seventh has been destroyed and at the current rate the goal to destroy the entire stocks by 2012 will not be reached. To this threat we must add the dangers posed by rapidly advancing bio-technology capable of developing lethal agents with the potential of eliminating entire city populations.¹⁴³

Making preparation for the destruction of humanity with inestimable global implications reveals a goal that is antithetical to the words of the UDHR which emphasizes respect for human beings. Their pledges lay on state parties the moral obligation to protect not only their own citizens, but also not to harm their neighbors. Yet the nations continue to pursue the aspiration of exercising ultimate power over life and death of millions which reveals their deep seated complicity with violence and an unwillingness to get serious about its prevention. Despite the high-sounding rhetoric of “collective security”, the logic of hatred that underlies the design and development of weapons of mass destruction exerts a causally effective influence on the world which ensures that violence and destruction will not cease any time soon.

¹⁴¹ §118 of the U.N. report on *Threats, Challenges and Change* reads: “Lackluster disarmament by nuclear-weapon States weakens the diplomatic force of the non-proliferation regime and thus its ability to constrain proliferation ... these nuclear-weapon States are increasingly unwilling to pledge assurances of non-use (negative security assurances) and they maintain the right to retaliate with nuclear weapons against chemical or biological attack” (*ibid.*, 42).

¹⁴² *Ibid.*, 39-40.

¹⁴³ *Ibid.*, 41.

Even the presence of these weapons violates the security to which the nations aspire. Plainly, it is a political illusion to speak of peace under the mushroom cloud, which raises the question of how the human rights system will fulfill its mandate.

War and Weapons Trade

The four decades between 1945 and 1985 saw only twenty-six days of world peace, and experienced one hundred and fifty wars during the same period.¹⁴⁴ While most of the developed nations would consider themselves as “peace-loving”, their industrialized economies have no qualms in sustaining a large export sector that supplies military technology and hardware to a war-torn and weapons-hungry world. Even in the age of human rights, military might is still revered as real power to the extent that, in most national economies, the military budget exceeds every other expense item.

Usually, arms are regarded as instruments of defence against external threats. But in the developing world, as Blanton points out, internal threats are far more common and it is in this context that the availability of arms needs to be acknowledged as a source of conflict that goes hand in hand with human rights violations.¹⁴⁵ Arms imports are not necessarily used by states for defense purposes in the classical sense, but to wage civil war, enforce repressive policies at home or put down civilian dissent. This raises the moral question how industrialized nations who have solemnly pledged human rights protection and seek diplomatic solutions to international peace reconcile these commitments with arms exports that fuel war-like violence in countries that can least afford large military investments and national instability.

A major contributor to the proliferation of violence is the easy availability of arms, weaponry and munitions. For instance, in Columbia an armed conflict continues for four decades and is sustained by access to such supplies. As Amnesty International notes, “failure to control the international weapons trade, has also

¹⁴⁴ J. A. Sluka, “The Anthropology of Conflict”, in *The Paths to Domination, Resistance, and Terror*, ed. C. Nordstrom & J. Martin (Berkeley, Cal.: University of California Press, 1992), 19.

¹⁴⁵ S. L. Blanton, “Instruments of Security or Tools of Repression? Arms Imports and Human Rights Conditions in Developing Countries”, *Journal for Peace Research* 36, no. 2 (Mar 1999), 233-44.

enabled guerrilla groups to obtain large supplies of arms”.¹⁴⁶ The same occurred in Darfur and other such examples are legion. Amnesty International writes:

Despite clear international awareness of the abuses being committed in Darfur, a long list of governments knowingly or unwittingly allowed arms to be sent to the country that were then used by the Sudanese government forces and allied militias to commit atrocities. Calls by human rights groups for an arms embargo to end military and related supplies reaching all parties went unheeded ...¹⁴⁷

In the post-Cold War world, as Müllerson noted, clashes between nation states have occurred less frequently than civil wars, i.e. “inter-ethnic conflicts which very often have their roots in ethnically or religiously based human rights violations.”¹⁴⁸ Also, internal threats to stability are most prevalent when nations are founded. Then war-like violence seems to reach its peak. Of the 111 armed conflicts in 1988 ninety-nine were linked to separatist movements, while the U.N. Commissioner of Refugees reported in 1993 on twenty-nine ongoing ethnic conflicts involving armed force, not to mention repeated military coups.¹⁴⁹

According to Lejbowicz, the word “war” is “disappearing from the domain of international law”, as is any noticeable difference between war-time and peace-time if this distinction is measured by the way members of the armed forces and civilians are treated. At the same time, the terms “just war” or “just peace” have simply become irrelevant, because either term can mask behavior that may be not only unjust, but outright inhuman.¹⁵⁰ As a result, the legal role of international law is changing. It is likely to shift from international peacemaker to controller of the violence that foment within the internal power structure of states.¹⁵¹

¹⁴⁶ Amnesty International, *Responsibilities Have No Borders*, 2005. (accessed 25 February 2005); available from <http://web.amnesty.org/report2005/intro-index-eng>

¹⁴⁷ *Ibid.*

¹⁴⁸ Rein Müllerson, “Fifty Years of the United Nations: Peace and Human Rights in the UN Agenda”, in *Human Rights for the 21st Century*, ed. Robert Blackburn and James Busuttil (London; Washington: Pinter, 1997), 143-61, p. 145.

¹⁴⁹ Shelton, “Regional Systems”, 394.

¹⁵⁰ A. Lejbowicz, “International Law and Modern War”, *Archives de Philosophie* 63, no. 3 (2000): 423-43.

¹⁵¹ *Ibid.*, 423-43.

In the light of the turmoil in the Middle East and in Sub-Saharan Africa talk about human rights for that region without a measure of peace and stability seems nonsensical. Lack of peace and order is for many parts of the world, the Third World in particular, synonymous with lack of human rights and freedoms. The question is whose peace it will be.

Promises Betrayed

The most visible manifestation of today's human rights crisis are the seemingly unstoppable mass-violations of human beings committed or tolerated by agencies of states who have undertaken to comply with human rights norms.

The imagination fails and it is impossible to find adequate words for the enormity of violence and suffering humans inflict on other human beings. To cope, their trauma is sanitized. Legal tags like "human rights violations" keeps it at an emotionally safe distance, but behind the euphemism hides the brutal reality that human beings commit unconscionable acts of violence against other human beings. Violence against women of all ages has reached horrific levels especially in zones of armed conflict where rape is used as weapon of war, but also in families often encouraged by traditional institutions which the state tolerates.¹⁵²

The world is facing the inconvenient fact that the gap between human rights norms and actual practice must be attributed to a more or less conscious complicity with violence. This complicity may even be said to be behind the tolerance of hunger, poverty and disease for millions. Irene Khan writes in the Foreword of the Amnesty International Annual Report of 2005:

Despite the promises in the UDHR and international human rights treaties that every person shall have the right to an adequate standard of living and access to food, water, shelter, education, work and health care, more than a billion people lack clean water, 121 million children do not go to school, most of the 25 million people suffering from HIV/AIDS in Africa have no access to health care, and half a million women die every year during pregnancy or childbirth. The poor are also more likely to be victims of crime and police brutality.¹⁵³

¹⁵² Amnesty International, *Annual Report 2005* (covering events of the previous year, accessed 25 January 2005); available from <http://web.amnesty.org/report2005>

¹⁵³ *Ibid.*, in the Foreword.

Moreover, torture and cruelty cases still number in the tens of thousands, and millions of children are abused globally. Despite the prohibition of genocide and slavery by international law, these practices have not been abandoned. If we add the millions of refugees and displaced persons, more than two hundred million children working as slaves in sweatshops, in the sex trade and as child soldiers trained to kill,¹⁵⁴ plus those who suffer in forced labor camps, one must ask whether humanity is making real human rights progress. More specifically, even if human rights are recognized at supra-national level, as the drafters of the UDHR had envisaged, in the light of the failure of international law to deal with these issues, is not our hope in this mechanism misplaced?¹⁵⁵ Cumper noted that in Guatemala, for instance, where “insidious, brutal structures of repression” have haunted the nation for forty years, “[i]nternational human rights standards ... had become anathema to and destructive of local faith in the rule of law, with lawyers growing cynical about the long-term effectiveness of human rights pressures in the name of international law”, because the ruling military deceived the international community with human rights vocabulary while continuing its murderous practice.¹⁵⁶

What marks the human rights landscape today, notes Irene Khan, Secretary-General of Amnesty International, is the “lethal combination of indifference, erosion and impunity ... Human rights are not only a promise unfulfilled, they are a promise betrayed”.¹⁵⁷

Many examples could be cited to illustrate the stark reality of the gap between human rights rhetoric and action. The human rights machinery malfunctions in many areas. Country after country fails to report on their human rights performance and the Special Rapporteurs of the UNCHR are often barred from visiting signatory countries and precluded from exercising their function. The task of

¹⁵⁴ UNICEF has estimated that approximately 250 million children between the ages of five and fourteen work in developing countries, of which 171 million work in hazardous conditions such as mining or with hazardous machinery (accessed 20 June 2005); available from http://www.unicef.org/protection/index_childlabour.html; see also Human Rights Watch at <http://www.hrw.org/children/labor.htm>

¹⁵⁵ Cumper, “History, Development and Classification”, 11.

¹⁵⁶ Jennifer Schirmer, “Universal and Sustainable Human Rights? Special Tribunals in Guatemala”, in *Human Rights, Culture and Context*, ed. Richard Wilson (London: Pluto Press, 1997), 161-183.

¹⁵⁷ Amnesty International, *Annual Report 2005*.

the Commission has been undermined by “eroding credibility and professionalism” as states have sought [and obtained] membership to the Commission not to strengthen human rights but to protect themselves against criticism or to criticize others.¹⁵⁸

Seven years ago, Mary Robinson, former U.N. High Commissioner of Human Rights, freely admitted that the human rights project was in crisis. She noted that the U.N. had “lost the plot” due to complacency, bureaucratization, being out of touch and resistant to change.¹⁵⁹ The U.N. came under even stronger criticism in more recent years. While some criticisms may have been intended to weaken the U.N., the reform proposals of the High-Level Panel suggest that most of them were justified.

The question remains open whether the comprehensive and global agenda of the human rights agenda is realistic. Certainly, human rights abuses, torture, genocide, violence against women, arbitrary use of force and so on must never be tolerated. In addition, human rights issues cannot be reduced to humanitarian measures separated from politics, as Ignatieff, Müllerson and others have emphasized.¹⁶⁰ Nevertheless, it is true to say that human rights language always points ambiguously in several directions at once. The notion of equal rights for all entails an enormous promise, as well as the relentless confrontation with the “other”, the competitor for limited resources. At the same time, these implied promises raise expectations beyond what any institution, including the U.N., its member states and the best of the NGOs, can deliver. As we shall see later, these tensions, while providing the context of the crisis, do not account for the institutional failures described above.

¹⁵⁸ United Nations, *A More Secure World*, 89.

¹⁵⁹ Mary Robinson, “Addressing the Gap Between Rhetoric and Reality”, in *The Universal Declaration of Human Rights: Fifty Years and Beyond*, ed. Yael Danieli, Elsa Stamatopoulou and Clarence J. Dias (New York: United Nations, by Baywood Publishing Company Inc., 1999), 423-29, 425.

¹⁶⁰ Müllerson, “Fifty Years of the United Nations”, 159; Ignatieff, *Human Rights as Politics and Idolatry*, 9, 20-21.

MOUNTING THREATS

International Terrorism

Terrorism violates the most elementary values of human co-existence and the rules of the national and international order. Terrorism is not just a problem for internal security, but has a highly significant foreign-policy dimension. Given the number of conflicts around the globe, the deterioration of state control in many parts of the world, the increased mobility provided by communications technologies, the globalization of terrorism is becoming a universal threat.

The attacks of 11 September 2001 in New York City awakened the world to the immediacy of terrorism. It also changed the profile of the typical terrorist. The world is not dealing with impoverished, oppressed and sectarian individuals and groups, but with loosely knit affiliations based on religious or ideological affinities.¹⁶¹ Their international network is widely dispersed and known to have sophisticated links to international finance. Today, terrorist organizations are less dependent on state sponsorship than in earlier decades. Their members are usually well-educated and fully integrated in Western society. The perpetrators of the September 11 attack struck without warning in the hope of inflicting as much damage as possible. This has become the typical pattern.

If terrorism had previously been something of a fringe topic of international diplomacy, the September 11 attack raised its priority sharply. Ever since, the topic of terrorism runs like a threat through the discussions of nearly all international fora and organizations.

The U.N. High-Level Panel report expresses the hope that more comprehensive counter measures will be developed than an exclusive focus on military, intelligence and police action. It stressed the need for the promotion of “social and political rights, the rule of law, and democratic reform; working to end

¹⁶¹ National Commission on Terrorism, Pursuant to Public Law 277, 105th Congress, *Countering the Changing Threat of International Terrorism* (13 July 2000).

occupations and addresses major political grievances; combating organized crime; reducing poverty and unemployment; and stopping state collapse”.¹⁶²

Yet, despite this universal threat, the report notes that “far too many states remain outside the [twelve U.N. anti-terrorist] conventions and not all countries ratifying the conventions proceed to adopt internal enforcement measures”. It notes the same lack of resolve in relation to the freezing of terrorist funds. In the three months after the September 11 attack the nations froze US \$124 million, but only \$24 million in the two years following. Here again the culpable ambivalence of the nations becomes apparent. While this moral vacuum has tarnished the image of the U.N., it is also a sign that the problem of violence in the mode of international terrorism has deeper and more complex roots than the failure of the nations to implement certain norms.

Douglas Jehl of the New York Times is closer to the mark when he speaks about the “awful utility of a common tactic”, employed by different groups.¹⁶³ But one wonders whether behind this “common tactic” and its proven utility does not lurk an awful reason for engaging such deadly activity. Are we perhaps dealing with all-too-common human attitudes such as resentment, even hatred manifesting in a death wish towards others? Or from a wider angle, are we witnessing a perverse form of hope that wills the demise of the hated object through the terror thus inflicted? Such questions will come into focus when we examine the phenomenon of terrorism from the perspective of mimetic theory.

Here it is noted that the grim vision of terrorism is a chilling reminder of earlier totalitarian systems. Terror, then and now, is the principal tool of totalitarianism. The contemporary terrorist seeks through the trauma of barbaric violence to bring down governments, entice others to commit acts of terror, and intimidate those who do not share their view of society. This makes terrorism an ideological movement rather than a military one. In these battles conventional “rules of engagement” do not apply. These “non-state actors”, to use the official euphemism, will not be reined in by international legal norms. They have no territory

¹⁶² United Nations, *A More Secure World*, 48.

¹⁶³ Douglas Jehl, “Many Bombs but Links Are Unclear”, *New York Times* (New York), 24 July 2005.

to defend, no population to protect. The battles they must win are fought not in the open field but in the arena of public opinion, and their ultimate weapons are not bombs but satellite dishes and TV screens. The very existence of international terrorism is a powerful indicator of the crisis under investigation.

Micro-Nationalism *versus* the Nation State

The modern nation state is an institutionalized power group with the monopoly of force within its territory. It seeks to prevent all other groups (including individuals) within the state from using force, be they political parties, unions, organizations, or ethnic groups. But such groups have in many parts of the world begun to assert their rights against the state, often by force. The reaction of the state has been one of relentless intolerance in the name of law and order.

This highlights another aspect of the human rights crisis. How is a state to deal with dissidents, for instance an ethnic minority that demands self-determination or a secessionist movement that could destabilize the state?¹⁶⁴ The experience of history shows that even a liberal state becomes aggressive when threatened, and the more it is threatened, the more it will retain force as a political resource.

During the last century, the ideal of cultural emancipation has added fresh fuel to this inherent conflict of national politics. It generated a movement that runs against the grain of national and cultural cohesion, resulting in widespread separatism. Everywhere ethnic and language groups cry out for regional power and cultural recognition.

This phenomenon of re-tribalization has spread around the globe. Its ferment manifests in Kashmir as well as in Sri Lanka and Ireland. It raises its head in Germany, Switzerland, Spain and France; in the former Soviet Union, in the Balkans, in Turkey, in Iraq and Indonesia, not to mention Africa. Dr. Boutros-Ghali, former U.N. Secretary-General, in his keynote address to the Cultural Diversity Conference

¹⁶⁴ Turkey, Serbia, Russia, some parts of Africa and notably China need to be mentioned as states who justify repressive practices by the danger of civil war.

in Sydney (1995), spoke of an “explosion of micro-nationalism” as a “new troubling phenomenon”,¹⁶⁵ pointing out:

Ethnic religious and cultural separatism threatens a return to some of the worst problems of the past: intolerance or antagonism towards other cultures; opposition to practices unlike one’s own; and inability to conduct productive dialogue across the global range of diverse cultures.¹⁶⁶

At a time when the world economies are heading for global integration, national unity seems to be under threat to devolve along tribal lines, which in some cases such as Canada, has been attributed to an “aggressive commitment to multiculturalism” which has allegedly lent impetus to increasing social fragmentation.¹⁶⁷ Everywhere people are striving to re-establish their heritage, even groups that for centuries had their identity within a larger national entity.¹⁶⁸ Barzun notes the same trend, adding that even the USA and Canada are not immune to the malaise.¹⁶⁹

The weaker the nation state, the more security-conscious it becomes, while the tendency on the part of the people to resort to self-help will increase, undermining the state even further. But weakening the nation state has implications for the future of human rights.

The advantage of the nation state is, of course, its ability through legislative and police powers to reduce open violence within its territory (which it does not always do) provided its citizens recognize the rule of one law. But, in recent times, argues Barzun, open violence is returning for a number of reasons, one of them being that in this era of heightened individualism, supported (at least in the West) by an almost unlimited welfare system, the institutions of the state are showing signs of

¹⁶⁵ Joseph Wayne Smith, Evonne Moore, and Graham Lyons, *Global Meltdown Immigration, Multiculturalism, and National Breakdown in the New World Disorder* (Westport, Conn.: Praeger, 1998), 17, citing R. O’Neill, “UN Chief Warns on Growth of Separatism,” *The Australian* April 27:4.

¹⁶⁶ *Ibid.*

¹⁶⁷ *Ibid.*, 19.

¹⁶⁸ *Ibid.*, 18-20 offers a detailed account.

¹⁶⁹ Jacques Barzun, *From Dawn to Decadence: 500 Years of Western Cultural Life; 1500-Present* (New York: HarperCollins, 2000), 776-77.

decadence as good intentions outrun the capacity of institutions to fulfill them.¹⁷⁰ It manifests as “failure of the will”, the “wish without the act”.¹⁷¹ Given its all-encompassing agenda of “all human rights to all”, it is not surprising that the human rights system mirrors the symptoms of the nation states which it is monitoring.

Demographic Change

Another destabilizing factor that contributes to the human rights crisis is demographic change. While the phenomenon of micro-nationalism stands in stark contrast to the internationalist “one-world” solution, the latter often overlooks the fact that humanity’s problems remain decidedly local. One of the trends that causes local dislocation is population growth and consequent demographic change. After three decades of debate, a clearer picture emerges of the complex question how demographic shifts affect the potential for outbreaks of violence either between states or as a result of intra-state conflict. Despite reduced population growth rates overall, Goldstone reports that many countries may well experience “collision between their agrarian population and access to land, between their rising labor force and educated and aspiring élites, urban populations and youth cohorts ... ; and between migrants and resident populations that inflame ethnic and regional tensions”. This threat applies even to countries with relatively low growth rates, for it is not the absolute rate population growth but the imbalances created by demographic change which increase the risk of political instability and conflicts.¹⁷² In Europe, for instance, with its large Muslim population, fear of Islamic fundamentalism is rising. The integration of non-EU migrants is slow and costly, and immigration laws have become stricter. The rising tension may be gauged not only by the emergence of right-wing groups and by recent remarks by the US envoy to the EU that “anti-semitism is nearly as bad as it was in the 1930s”,¹⁷³ but also by outbreaks of spontaneous mass violence.

¹⁷⁰ Barzun, *From Dawn to Decadence*, 779.

¹⁷¹ *Ibid.*, 781.

¹⁷² Jack A. Goldstone, “Population and Security: How Demographic Change Can Lead to Violent Conflict”, *Journal of International Affairs* 56, no. 1 (2002), 3ff.

¹⁷³ John Chalmers, Reuters, 12 February 2004.

Today, one half of the world's population lives in cities whose populations are growing at an alarming rate. If current trends continue, the urban population will rise to two-thirds of an even larger global population. At the same time, the affluent are deserting the cities, while in hope for a better life ever larger numbers of the rural poor take their place. This trend will produce the phenomenon of the mega-metropolis. It is estimated that by 2015 Mumbai will equal the population of Tokyo, now the largest city in the world. Moreover, urbanization is occurring at its fastest pace not in the developed nations, who are better equipped to deal with it, but among the poorest. Today, of the ten largest cities only three are located in the developed world – Tokyo, New York and Los Angeles. By the year 2020, only Tokyo will remain on that list, while three of the ten largest cities will be from India alone.¹⁷⁴

That such shifts will generate unpredictable imbalances and, therefore, heighten the risk of instability, goes without saying. How city infrastructures will cope, how water supply, waste removal and sanitation will keep pace even in the cities of the developed world, how governments will maintain order under prolific city growth rates are still open questions. Catastrophic outcomes are not inconceivable. Under such conditions, riots and violence cannot be excluded and the traditional response of governments to such outbreaks has been repression. What will become of human rights? Order will have to come first.

In a security analysis Professor John Orme called attention to the possibility that during the twenty first century “the international arena could return to a Hobbesian state of war” due to a coming surge in world population.¹⁷⁵ He argues that the confluence of several factors will favor such a scenario: a revolution in military affairs, population growth and scarcity of resources. For instance, by 2030 China's demand for grain will double and the prospects to meet this demand from domestic sources are not favorable. As the land base in developing countries is also shrinking, there may be less grain available on world markets. China's domestic production will

¹⁷⁴ The Population Institute, “Urbanization” (accessed 22 June 2005); available from http://www.populationinstitute.org/teampublish/71_234_1058.cfm; also United Nations, Department of Economic and Social Affairs, *World Population to 2300* (New York, 2004, accessed 22 June 2005) available from <http://www.un.org/esa/population/publications/longrange2/WorldPop2300final.pdf>

¹⁷⁵ John Orme, “The Utility of Force in a World of Scarcity”, *International Security* 22, no. 3 (Winter 1997, accessed 25 July 2005), 1-21; available from <http://www.mtholyoke.edu/acad/intrel/orme.htm>

fall short of demand in respect of two other commodities, water and crude oil. Given that China will by then have added almost 500 million to its population, shortages on world markets are likely to affect its domestic political stability. Orme makes the following ominous comment:

When the empire of man over nature can no longer be easily extended, then the only way for one people to increase its standards of living is by redistributing the sources or fruits of industry from others to themselves. The surest way to do so is by extending man's empire over man.¹⁷⁶

When populations increase, nations may again go on the path of expansion to relieve domestic stress, and thus become enemies, as Hobbes predicted. When interests collide, as has been the case many times in the past, passions will prevail, not human rights norms. From this perspective, the hope that humanity is heading into a future of international cooperation and "collective security", as some internationalists would have us believe, seems to belong indeed to the realm of the utopian imagination.

CONCLUSION

Many factors characterize the human rights crisis. Apart from philosophical, political and epistemological problems, what is of gravest concern is growing institutional decadence. Present reform proposals are certainly laudable; addressing the credibility deficit is another matter. Indifference to the suffering of millions through poverty, hunger, inequality and infectious diseases as demonstrated by the unresponsiveness of the U.N. and the nations to their plight, flies in the face of an avowed commitment to international human rights. Moreover, pledges that speak of the "human family" simply do not ring true as long as the nations maintain arsenals of weaponry designed for its wholesale destruction.

The continuing widespread use of torture and repression, of acts of tyranny and military conflict and of violence against women and children, is morally intolerable and inconsistent with governments' promises to safeguard people's dignity and welfare, and to refrain from doing harm to one's neighbors. This

¹⁷⁶ Orme, "Utility of Force", 14.

discrepancy more than anything conveys a powerful message, penned in trauma-laden language, that human life is worth little, that it is dispensable at will, and that might trumps humanitarian concerns, despite proclamations and pledges to the contrary.

In short, victims of violence, not idealistic words, are the most powerful symbols of the human condition. In the light of the evidence, the conclusion could quite reasonably be drawn that the human rights project has been reduced to a kind of Orwellian parlor game. After all, have not the nations too often turned the ethos of human rights into a weapon of political propaganda criticizing the violations of others while concealing their own? Has not the exaltation of the powerful led to the betrayal of the poor and oppressed? Or to put it in another way, since no state can exist without force, and if out of fear of obliteration the nations retain violence as a means to political power, does not this logic render the human rights project illusionary? And yet, how else is violence to be restrained?

Questions such as these will receive attention as the study unfolds, beginning with an inquiry into the anthropology of human violence.

CHAPTER 3

VIOLENCE IN ANTHROPOLOGICAL PERSPECTIVE

INTRODUCTION

Although violence is one of the most pervasive and emotionally charged phenomena in human society, it has only in recent times received prominent attention in social research. Until the turn of the twentieth century, the social sciences had taken a narrow evolutionist view. Violent conflicts in particular – it was said – had their origin in human primordial aggressiveness and were an instrument of natural selection. More recently a broader range of views has emerged.

A review of the literature shows that the category of “violence” is not supported by a commonly agreed theory about its meaning or function. Difficulties arise over the complex intermingling of the destructive as well as the constructive aspects of violence. Then there are semantic difficulties in how to recognize in the notion of “damaging force” also such elements as provocation or legitimacy. That these aspects vary from culture to culture only adds to the complexity. If psycho-dynamic and pathological factors were included, exploring the notion of violence would have to follow a labyrinthine path indeed.

Manageability dictates that our anthropological survey be limited to three significant schools of thought: The first is the social resource theory of violence, the usefulness of which has been widely acknowledged.¹⁷⁷ Since, however, this theory can only describe certain functional categories but fails to explain the strangely enthralling power of violence and human impotence in controlling it, two other theories are also examined: the hunting hypothesis of Walter Burkert and the theory of mimetic desire of René Girard. Both of these theories go beyond the social role of violence and explain its phenomenological and religious dimensions. Mainstream anthropological discourse locates the meaning of violence where semantic

¹⁷⁷ Proponents are David Riches, but by implication also Boelkins & Heiser, Felson & Tedeschi, Schröder & Schmidt.

considerations, the nature/nurture debate and the problematic of cultural relativism intersect.

VIOLENCE IN ANTHROPOLOGICAL PERSPECTIVE

Semantic Considerations

The commonsense Anglo-Saxon definition of violence centers on the idea of a deliberate infliction of harm on another which is both unacceptable and illegitimate.¹⁷⁸ It relates to a range of behaviors and images that carry strongly negative moral connotations and are associated with what is “disturbing, unpleasant, and illegal”.¹⁷⁹ Some may say violence is irrational, even bestial. Therefore, as David Riches notes, it is a word that is used rather by those who witness or suffer acts of violence than by those who perform them.¹⁸⁰

The primary meaning of the English noun is morally neutral in the sense that it does not necessarily imply victimization. It simply means “rough force or action” [from the Latin *violens*, or *vis* = force, strength]. But its secondary meaning associates it with harmful action through the unjust and illegal use of physical force that causes or threatens damage or injury. This meaning is more strongly evident in the verbal form “to violate” [from Lat. *violare*], which is derived from the same root [Lat. *vis*]. While it originally meant “to treat with force”, it has acquired in modern English the meaning of “to break, to act contrary to (rule, law, agreement, promise, etc.), to trespass, to infringe on, to break in upon (with weapons), to treat with disrespect, to disturb, to use force against a woman, rape, to assail or abuse a person, to treat something sacred with contempt”.¹⁸¹

¹⁷⁸ David Riches, “The Phenomenon of Violence”, in *The Anthropology of Violence*, ed. David Riches (Oxford: Basil Blackwell, 1986), 1-27.

¹⁷⁹ Garry Marvin, “Honour, Integrity and the Problem of Violence in the Spanish Bullfight”, in *The Anthropology of Violence*, ed. David Riches (Oxford: Basil Blackwell, 1986), 121.

¹⁸⁰ Riches, “The Phenomenon of Violence”, 3.

¹⁸¹ “Violence”, in *World Book Dictionary*, ed. Clarence L. Barnhart (Chicago; London; Rome: Field Enterprises Educational Corp., 1973), 2321; also Walter W. Skeat, *An Etymological Dictionary of the English Language* (Oxford: Clarendon Press, 1963), 692.

The unacceptability and illegitimacy of violence implied in the usage of the term arises as a value judgment either from those within the “space” whose integrity is being violated or from an outside observer who holds identical or at least similar values. While these implications are not necessarily absent in the one who carries out the violation, its very performance reveals that in the perpetrator factors other than social “unacceptability” or “illegality” predominate. This renders the notion of violence paradoxical and ambiguous. Semantically we meet the ambiguity in such paired attributes as legitimate/illegitimate, social order/disorder, peace/war. Each of these pairs points to the problematic status of violence in terms of its meaning as well as in its relation to power.

The Nature/Nurture Debate

The question which the “nature/nurture” debate sought to resolve was at what point in human bio-social nature biology turns into sociology. In relation to violence, the “nature” theory holds that aggressive behavior is inborn rather than acquired.¹⁸² It is derived from drives that are innate or instinctive and possess definite survival value for the species in its struggle for existence. Violence is thus a behavioral subset of aggression (something like aggression gone awry) that belongs to the range of inborn drives like eating and mating. It excludes the social environment and learning as factors in the development.

Ethology fleshed out the biological conception of aggression. Its leading exponent was Konrad Lorenz who accounted for behavior in terms of action-specific energies that are released once certain mechanisms are triggered.¹⁸³ As a Darwinian naturalist, Lorenz held that humans possessed an aggressive instinct that can be traced from the lower to the higher species and that aided natural selection. However, humans had difficulties in controlling the aggressive instinct, because they possessed no innate inhibitors. He correlated fighting behavior and aggression with usefulness to survival and evolutionary adaptation, but also recognized among animals the

¹⁸² The term “aggression” is not limited to the meaning of physical attack but encompasses the full range of assertive, intrusive and dominance behavior.

¹⁸³ Konrad Lorenz, *On Aggression* (London: Methuen & Co, 1966).

aggression-inhibiting function of submissive behavior which has apparently no counterpart in humans.

Robert Ardrey, another proponent of the ethological view, hypothesized that man's drive to fight his own kind is rooted in his predatory past.¹⁸⁴ While it is generally agreed that the capability for aggression and violence is biologically based, it is still unclear whether *behavioral* manifestations are equally intrinsic or dependent on external stimuli.¹⁸⁵

The genetic view of aggression came under criticism from the behaviorist school. They charged that it ignored environmental influences, the possibility of learning, and the cherished idea that with rising consciousness the rational capacities are able to bring human instincts under control. Behaviorists also believe that each person starts out in life (metaphorically speaking) as a blank sheet of paper on which experience writes its story and determines what the individual will become. Proponents like Skinner, Maslow and Rogers reject the instinct theory mainly because it cuts across the idea of human freedom and perfectability. They are convinced that humans, when suitably conditioned, may be shaped into non-aggressive agents and that, therefore, the problem of violence in society can be solved, at least in principle.¹⁸⁶

Social learning theorists like Albert Bandura have argued along similar lines.¹⁸⁷ In their view, violence is more likely to manifest in behavior if the person has been exposed to violent models and has been rewarded for their imitation. They argue that, just like any other human response, violence can be learned from one's environment.¹⁸⁸ Because learning takes place by observation and imitation, an

¹⁸⁴ Robert Ardrey, *African Genesis* (London: Collins, 1961).

¹⁸⁵ See also George F. Solomon, "Psychodynamic Aspects of Aggression, Hostility, and Violence", in *Violence and the Struggle for Existence*, ed. David N. Daniels, Marshall F. Gilula and Frank M. Ochberg (Boston: Little Brown Company, 1970), 56.

¹⁸⁶ Morton T. Kelsey, "Aggression and Religion: The Psychology and Theology of the Punitive Element in Man", *Religious Education*, Vol. LXVIII, No. 3 (May-June 1975), 366-86.

¹⁸⁷ Albert Bandura, *Aggression: A Social Learning Analysis* (Englewood Cliffs, NJ: Prentice Hall, 1973).

¹⁸⁸ Frustration and anger are not necessarily conditions precedent.

avenue exists for the control of violence through education.¹⁸⁹ However, the greater concern for society must be about the modeling of appropriate behavior through the mass media, peer and reference groups and parental conduct. As these three are critical, their violence, if not curbed, is likely to be replicated in society.¹⁹⁰

Psychologists, on the other hand, have argued that an organism seeks gratification of essential needs. It is therefore equipped with a certain non-hostile assertiveness, which, when the path to gratification is blocked, results in frustration, anger and hostility. This “primary aggression” arises in proportion to the eliciting event.¹⁹¹ But this view, known as the frustration-aggression hypothesis, still relies on the genetic assumption.¹⁹²

The Problem of Cultural Relativism

Most anthropologists agree that societies differ in their manifestation of violence and attribute these differences without much disagreement to a range of cultural elements such as child-rearing, social organization and religious beliefs. However, they disagree sharply over the usefulness of violence as a category for cross-cultural comparison.¹⁹³

Some question whether violence can be objectified enough to function as a cross-cultural measure. Heelas gives two reasons why not. Because anthropologists are confronted with a variety of cultural conceptualizations of violence, there are

¹⁸⁹ Bandura looks to such devices as stimulus control, modeling influences, aversive treatment and instructional control plus various forms of reinforcement (Bandura, *Aggression*, 68).

¹⁹⁰ R. Charles Boelkins and John F. Heiser, “Biological Bases for Aggression,” in *Violence and the Struggle for Existence*, ed. David N. Daniels, Marshall F. Gilula and Frank M. Ochberg (Boston: Little Brown Company, 1970), 79-95.

¹⁹¹ By contrast, secondary aggression is violent behavior that bears no relation to the provocative event. It is “stored” hostility that compulsively seeks to manifest at any opportunity. It belongs to the category of psychopathology (cf. Solomon, “Psychodynamic Aspects of Aggression,” 60-61).

¹⁹² Neal Miller, “The Frustration-Aggression Hypothesis”, in *Aggression, Hostility and Violence*, ed. Terry Maple and Douglas W. Matheson (New York: Holt, Rinehart and Winston, 1973), 103-07.

¹⁹³ Heelas takes the view that “it is impossible to devise an objective measure or definition [of violence] that can be applied cross-culturally” (Paul Heelas, “Anthropology, Violence and Catharsis”, in *Aggression and Violence*, ed. Peter Marsh and Anne Campbell [Oxford: Basil Blackwell, 1982], 47).

difficulties of interpretation. What may be violence in one culture may be seen as endearment in another.¹⁹⁴ Second, the study of violence proceeds on the basis of two frames of reference, that of the observer and that of the participant. The unavoidable discrepancy between the two results in a considerable variation of cross-cultural data which, when coupled with culturally specific conceptualizations, precludes the formulation of independent criteria.¹⁹⁵

To overcome this relativism and to establish some sort of universal baseline, objectivists have tried to anchor criteria in the natural order. Taking violence as a genetically programmed tendency, they have attempted to link it causally with inner emotional or mental states, but have failed on methodological grounds. Objectivists have been left with only one option, to seek criteria from natural *behavioral* signs, like “the infliction of physical hurt”. Since these “signs” also need to be interpreted, this path is equally culture-dependent. In short, finding objective criteria for what constitutes violence from behavioral events has turned out to be epistemologically inadequate.¹⁹⁶

David Riches argues similarly but from a different angle. He notes that “violence” is a term used only by witnesses and victims of certain acts but not by those who perform them. Since it is the very act of performance that needs to be explained in cross-cultural comparisons, and if violence is minimally understood as the “intentional rendering of physical hurt on another human being”, the perspective needs to be changed from that of the witness and victim to that of the performer. This produces a significant shift in meaning. In this shift the connotation that violence represents disorder is lost. The idea of disorder is exchanged for the practical and symbolic goals the performers of violent acts seek to achieve when they employ

¹⁹⁴ For instance the practice of wife-beating among the Anomamö Indians of Amazonia. Even such categories as homicide or violent death are not universally valid yardsticks (*ibid*, 48-50).

¹⁹⁵ Heelas, “Anthropology”, 49.

¹⁹⁶ *Ibid.*, 52.

violence.¹⁹⁷ From the performer's point of view, then, violence assumes the role of "strategic purpose" rather than "loss of order".¹⁹⁸

This reveals that the core purpose of violence is based on an inherent contradiction. The performer seeks to advance certain changes to which witnesses and victims are opposed. At the same time, they have to be "persuaded" that the intended acts are legitimate. Violence is thus characterized, according to Riches, by *opportunity* and *influence*, by practical results and expressive power.¹⁹⁹ Other scholars have acknowledged the value of this solution to the problem of cultural relativism.²⁰⁰

The survey of three specific anthropological approaches that follows should be read with the forgoing discussion in mind.

THREE ANTHROPOLOGIES OF VIOLENCE CONSIDERED

The Social Resource Theory of Violence

At the most generalized level of understanding, violence is perceived in anthropological literature as a specific form of human interaction. It might even be said that it is a form of communication. The task of anthropology then is not only to describe the process involved in this interaction but also to explain it within the socio-cosmological context of that culture.²⁰¹ While its form varies from culture to culture, violence exhibits several common dimensions. It is firstly a social phenomenon, certain expressions of which may be legitimated and put to use for the

¹⁹⁷ In revolutions as well as in acts of terrorism, the absence of this notion holds true even when the goal envisages deliberate disturbance to the social order in the process of changing it.

¹⁹⁸ Riches, "Phenomenon of Violence", 4-5.

¹⁹⁹ *Ibid.*, 11

²⁰⁰ Schmidt & Schröder acknowledged the explanatory power of Riches' approach (see Ingo W. Schröder and Bettina E. Schmidt, "Introduction", in *Anthropology of Violence and Conflict*, ed. Bettina E. Schmidt and Ingo W. Schröder [London; New York: Routledge, 2001], 1-24).

²⁰¹ Ernst Halbmayer, "Socio-Cosmological Contexts and Forms of Violence: War, Vendetta, Duels and Suicide Among the Yupka of North Western Venezuela", in Schröder & Schmidt, *Anthropology of Violence*, 49-75.

maintenance of society so that, regardless of its damaging power, violence is seen as a fundamental necessity or an essential social resource.²⁰²

Thus we observe an inherent paradox in the functional notion of violence. It is capable of destroying the existing order but it also maintains it, an aspect that we shall meet again in Girard's theory under another name. This means that violence is more than just instrumental behavior. It is also an assertion and expression of power. Since institutional usefulness and destructive force flow from the same source, violence is a Delphic sword that turns against those who wield it. When power structures enlist violence in their service, intuited Elisabeth Copet-Rougier, violence invariably inverts the relationship, and turns against them without their knowing.²⁰³

It is this force that is capable of delivering physical hurt which the performer of the act (as well as some witnesses) deem legitimate at least in Anglo-Saxon terminology. Because these acts are easily performed (at the minimal level of resource deployment they require as little as the physical strength of a human body), and because such acts are at the same time highly visible and dramatic, they produce immediate concrete results which makes violence a very efficient way of affecting a social environment.

The evocative imagery of violence has also been used to make statements of political power. A state may use the symbol of extraordinary violence as a demonstration of its willingness to employ violence as an ordinary means of authority. In this context, violence stands as a metaphor of political superiority or as a symbol of the enforcement of retributive justice. One only has to think of public floggings, executions and, indeed, of recent images of military bombardments to see the point. According to Riches, this efficacy rests on its pre-emptive potential.²⁰⁴ The

²⁰² Halbmayer notes that in societies without a standardized legal system, the abstract question of legitimate (legal vs. illegal) violence does not arise because retaliation and revenge is the appropriate response to injury (*ibid.*, 68). Schmidt's observation that Caribbean cannibalism "almost always" has a social function in the community also supports the notion of violence as a resource (Bettina E. Schmidt, "The Interpretation of Violent World Views," in Schröder & Schmidt, 76-77).

²⁰³ Elisabeth Copet-Rougier, "'Le Mal Court': Visible and Invisible Violence in an Acephalous Society", in *The Anthropology of Violence*, ed. David Riches (Oxford: Basil Blackwell, 1986), 68.

²⁰⁴ The kind of violence that best meets the definition of "resource" (i.e. advancing the cause and delivering the needed measure of legitimacy) is tactical pre-emption. From the performer's viewpoint pre-emption is vital and its power two-fold: it can be justified as unavoidable and it immediately

public demonstration of violence is intended to pre-empt violent acts of a would-be perpetrator by disabling his physical and psychological capability to engage in it so that the expressive power of violence serves its functional end. For this reason, violence communicates widely across cultural boundaries like no other projection of social images.²⁰⁵

In short, acts of violence done or threatened against others speak a strange symbolic language that enthralls the imagination of its agents while (and perhaps precisely because) it also traumatizes its recipients. The infliction of violence arises out of a view of other human beings that is profoundly conflictual.

The idea of conflict as an instigator of violence features prominently in Schröder & Schmidt.²⁰⁶ The authors distinguish overlapping spheres which seem to encompass the “whole spectrum of violence as it presents itself to anthropological analysis”, namely the material and political causes of conflict, its cultural construction (including war) and the experience of violence as related to individual subjectivity that affects society even in the absence of conflict or war.²⁰⁷ From this perspective, violence as a means of conflict resolution displays another side of its strange character. Its power to generate symbolic values from a violent tradition lays claim to an air of legitimacy that aligns all future confrontations with the same historical trajectory. Violent conflicts have thus three elements in common: an unambiguous “we-they” polarization; the moral superiority of the cause of those who wage the war; a claim to “totality” in the sense that total victory is essential for survival, which implicitly calls for the elimination of the opponent.

But this functional view of violence is incomplete without reviewing briefly two other variants, the theories of social learning and of social influence.

impairs the faculties of the recipient of the pre-emptive strike (Riches, “Phenomenon of Violence”, 4-5).

²⁰⁵ Riches, “Phenomenon of Violence”, 13.

²⁰⁶ One of the reasons cited for the use of violence in competitive struggles over resources, for instance, is its efficiency in that it “confers adaptive benefits to the successful party” (Schröder & Schmidt, *Anthropology of Violence*, 3).

²⁰⁷ Presumably this last category includes the idea of ceremonial killing and “sacrifice”, i.e. violence inflicted upon animals or humans in the context of religious ritual. These aspects of violence will receive attention in later sections.

Learning theorist Albert Bandura is of the view that human aggression is acquired, not inborn, and that most aggressive activities require an intricate array of skills based on extensive learning. But he admits that biological factors play a role inasmuch as they are responsible for the learning rate and for how responses are activated. While biological factors set limits to the acquisition of aggressive behavior and coordinate aggressive responses through neuro-physiological structures like the subcortical glands and the limbic system, these are selectively activated through social and cognitive responses.²⁰⁸

In this view, cognitive control over aggressive behavior may be weakened through loss of self-consciousness and self-evaluation coupled with a diminished concern for negative evaluation from others. This theory also holds that modeling influences can function as “teachers, elicitors, stimulus enhancers, and emotions arousers”. However, these influences work as inhibitors as well as dis-inhibitors of aggressive behavior depending on the social acceptability of the model. Modeled activities also focus attention on the implements used in aggression and may prompt people to use the same instruments in carrying out the aggressive act in the same imitative way.²⁰⁹

The social influence theory of aggression focuses on the power-play in social relationships and redefines aggression not as an action but as a “label” applied by observers when they perceive that someone intends to do harm to others in situations where the legitimacy of the action is not clear. This theory tries to explain why coercive power is used to influence the social environment on the basis of an attribution of values to certain actions, aspirations and outcomes. It posits a series of possible reasons why a person might choose coercive power as a mode of influence: lack of self-confidence; time perspective and failure to perceive the costs; fear; self-

²⁰⁸ Bandura, *Aggression*, 53-59; also “Psychological Mechanisms of Aggression”, in *Aggression: Theoretical and Empirical Reviews Vol. I*, ed. Russell G. Geen and Edward I. Donnerstein (London: Academic Press, 1983), 4.

²⁰⁹ Dolf Zillman discusses conditions under which arousal facilitates aggressive behavior with special attention to interdependencies between cognitive and excitatory processes including the role arousal plays in impulsive reactions of aggression. The notion of arousal has two conceptual antecedents – the idea of ‘drive’ and that of ‘activation’, but we shall not follow his argument further (Zillman, “Arousal and Aggression” in Geen & Donnerstein, *op. cit.*, 78).

presentation and face-saving; maintenance of authority; conflict intensity; norms of defence and reciprocity; modeling and learning; perceived injustice.²¹⁰

While it is the goal of the social influence theory to offer a radical critique of biological, psychoanalytical and learning approaches, in the final analysis it explains aggressive or coercive behavior as a human resource rooted in social determinants with some concessions to internal tension states and biological factors.

In sum, it is noted that violence, although often contested on grounds of legitimacy, due to its dramatic and traumatic influence is capable of communicating socio-ideological messages to the onlookers. Moreover, the capacity of leveraging minimal resources to perform acts of high impact on the social and ideological environment makes violence an efficient and potent resource that may be employed strategically, but not without the danger of a Faustian bargain.

In the next two sections the focus shifts to an exploration of the relationship between violence and the sacred, that is, to the violent origin of religion and culture.

The Hunting Hypothesis of Walter Burkert

Burkert's point of entry is classical Greek culture and its religious/mythological expression. What is of special interest is the question of why certain practices, like the practice of sacrifice, have been preserved over long spans of time from pre-history to the present day.

Burkert sets aside the explanation of traditional religious theories which see sacrifice as an attempt to appease the gods. In his *Homo Necans* he adopts instead the controversial thesis that sacrifice is derived from hunting and religion from sacrificial ritual.²¹¹ He sees prehistoric man as a hunter and postulates that the hunt required new behaviors of cooperation and planning which in turn demanded the sublimation of intra-group aggression. The development of hunting tools and weapons made the reduction of violence through sublimation all the more necessary. Since the hunt

²¹⁰ Richard B. Felson and James T. Tedeschi, *Aggression and Violence: Social Interactionist Perspectives* (Washington, D.C.: American Psychological Association, 1993), 135-137.

²¹¹ Walter Burkert, *Homo Necans: The Anthropology of Ancient Greek Sacrificial Ritual and Myth* (Berkeley: University of California Press, 1983), xiv.

brought about a differentiation of the social space, the prehistoric group had to distinguish between the “outside” (the world of the hunter and provider of food) and the “inside” (the domestic world of the woman responsible for the rearing of children). These developments affected all intra-group relationships, male to male as well as male to female.²¹²

Burkert does not insist that sacrificial hunting rituals were universal activities that reflected the experiences of all prehistoric humans. Rather, his point is that some of these practices became embedded in tradition, assumed formative influence on emerging high cultures and are, therefore, open to historical inquiry.²¹³ As to the origin of violence, Burkert relies on the Lorenzian assertion that aggression and violence are innate drives in the human being.

The hunting of large mammals was a communal enterprise and the success of prehistoric groups depended on their ability to work cooperatively. This, Burkert argues, was made possible by the development of and willing submission to “rules of cultural tradition” that allowed them to regulate instinctive behavior. In this process, ritualizing the kill as sacrifice played a special role. It required a learning experience that was on the one hand facilitated by the human propensity for imitation, and by “imprinting” on the other.²¹⁴ However, it was the climactic moment of the kill that released a cluster of tensions between instinct and the new forms of behavior and propelled the event into psychological pre-eminence so that it became central to all forms of social behavior. In addition, the hunters, identified deeply with their prey, observing anatomical and behavioral resemblances between themselves and their quarry, like movements in fear and flight, but especially their “faces”, and most significantly their “warm running blood.”²¹⁵ This brought about a new existential awareness.

²¹² Burkert, *Homo Necans*, 18. The bloody work of killing was men’s work, which included the external protection of the group’s territory as well as its expansion.

²¹³ *Ibid.*, xiv-xv.

²¹⁴ *Ibid.*, 19.

²¹⁵ These aspects of the hunt, Burkert argues, account for the “exchangeability of man and animal in sacrifice” to which the mythology of ancient Greece and of other cultures amply testifies [*ibid.*, 20].

As Burkert sees it, not only was the hunters' sense of identification with their prey heightened when the animal died, but also to succeed, men had to overcome their natural life-preserving inhibitions against spilling blood. Once this boundary was breached, this "overstepping" elevated the consciousness of a profound antithesis between the "within" and the "without" dimensions of their existence. The killing that occurred "without" offended the peace that must reign "within". While life needed to be nurtured and cared for "inside", in order to survive, this rule had to be transgressed "outside". In this outside sphere, "weapons, blood and death" gave meaning to the activities of men which contradicted the caring "inside" activities of their women. Thus, the kill produced profound tensions and turned into "a formative experience for all participants, provoking feelings of fear and guilt and increasing the desire to make reparations, the groping attempt at restoration."²¹⁶

By the same token, these contradictions gave rise to a new order in which the power to take life and to preserve it had to be held in a creative tension to which the development of ritual was the creative response.²¹⁷ Now the ritual defines the group and its members. Those who submit to its rules will survive, while those who do not conform are treated as outsiders, so that the ritual becomes the protective covering that ensured survival as well as the ever-present threat of exclusion spelling personal disaster.²¹⁸

The act of killing was the decisive and central moment of the sacrifice. Its climactic horror – mingled with ecstasy over the release from danger and the anticipation of devouring the prey – brought about the experience of the "sacred". The ensuing sacrificial ritual gave rise to religion and to its enduring presence in cultural and religious history. So deeply "inscribed" is the act of ritual killing that it has not just survived from prehistory to the present day, but in certain folk religions

²¹⁶ Burkert, *Homo Necans*, 21, 27.

²¹⁷ *Ibid.*

²¹⁸ *Ibid.*, 26.

has even defied two thousand years of Christianization, which in the theology of redemption brought “sacrifice” to its own climax.²¹⁹

The hunting hypothesis may be a sufficient explanation for Burkert’s claim that hominization required the persistent re-enactment of the original event that was generative of religious socialization around the killing, distribution and eating of the prey. However, it does not explain the deviant expression of violence that human history has revealed unless one assumes a degenerative movement from the normal to the abnormal, that is, from animal to human sacrifice and from the abnormal to the bizarre, that is, from human sacrifice to cannibalism. Burkert himself admits to such as a possibility, but does not elaborate.²²⁰ In the same article, he makes the point that is close to the crux of this thesis, “we are apparently less able than before to control violence, which remains both real and fascinating”.²²¹

At the conclusion of *Homo Necans* Burkert laments the escalation of violence in our time and the loss of conscience in society, but leaves these phenomena unexplained. At the same time, he does not leave us entirely without clues as to how he sees the human being: a deep existential anxiety besets the human race and drives its members to violence and war. But according to his theory, it was the hunt that made proto-humans human as they began to regulate intra-racial aggression through religious ritual. In short, *Homo sapiens* is at one and the same time also *Homo necans*, and it is to this terrible paradox of human existence that I now turn.

The Mimetic Theory of René Girard

Girard’s approach²²² to the subject of violence differs radically from that of the theorists reviewed so far. He first noticed that interactions of human beings, as reflected in the great literary texts from antiquity to the present, were based on the interplay between imitation and desire. Girard formulated his insights in what has

²¹⁹ Walter Burkert, “The Problem of Ritual Killing”, in *Violent Origins: Ritual Killing and Cultural Formation*, ed. Robert Hamerton-Kelly with an Introduction by Burton Mack and a commentary by Renato Rosaldo (Stanford, Cal.: Stanford University Press, 1987), 162-63.

²²⁰ Burkert, “Ritual Killing”, 176.

²²¹ *Ibid.*

²²² A fuller exposition of Girard’s theory will be presented later in this chapter.

become known as “mimetic theory”. Methodologically he lets the texts speak and deliberately avoids all reductions to categories. As a literary critic, Girard does not ground his hypothesis on the propositions and methods of the social sciences.

Girard confronts us with the inconvenient reality that violence with its “blind brutality”, “fundamental absurdity” and “raging hunger” belongs to all humanity everywhere.²²³ Once aroused, it is unstoppable. In archaic society, the slightest outbreak of violence spelt disaster. Consequently, humanity was faced from the beginning with the ever-present threat of internal mob-violence and self-destruction. This dynamic gave rise to sacrificial practice. The violence of the community, its inner tensions, feuds and rivalries were vented collectively upon a less valuable and dispensable victim as a substitute for the whole community, shielding it from its own violence.²²⁴ Thus, in Girard’s definition, sacrifice is an act of violence inflicted upon a victim in order to prevent further violence, and is thus an act of ritualized vengeance.

In some respects this theory is not unlike Burkert’s where the catharsis at the point of the kill becomes the “scene of origin” of the sacrificial system built on a substitutionary resemblance of the sacrificial animal with its human sacrificers. Girard would certainly agree that in order to make substitution possible victims must resemble what they replace, and that animals resemble humans to a degree. But despite these parallels, Girard’s position differs fundamentally from Burkert’s. In Girard’s proposal the “scene of origin” lies in the horror of an outbreak of unstoppable violent reciprocity *within* the archaic community, not in the cathartic experience of the kill during the hunt. It is the *internal* crisis, the spilling over of violence into the interior of their social space, not the catharsis experienced in the exterior, that fills the group with dread and brings about the perception of an encounter with the so-called “sacred”.

The genius of Girard’s approach is that he seeks the universal dimension not in violence as such but in the choice of the victim. This line of reasoning flows logically from his thesis that sacrifice is not a religious exercise aimed at “making

²²³ René Girard, *Violence and the Sacred*, transl. of *La violence et le sacré* (Baltimore: Johns Hopkins University Press, 1977), 4.

²²⁴ *Ibid.*, 7-8.

contact with the gods” (as traditional theory of religion sees it) but an anthropological one in the guise of religious ritual aimed at the prevention of recurring violent reciprocity.²²⁵

Having surveyed a range of scholarly views on prevalent anthropological theories of violence, I now turn my attention to a detailed exposition of Girard’s theory of mimetic desire.

GIRARD’S MIMETIC ANTHROPOLOGY

Over the years, others have written comprehensive summaries of Girard’s *oeuvre* as well as book-length introductions.²²⁶ To create the theoretical context for this study we can more selectively engage with his work. Beginning with the trajectory of Girard’s intellectual quest, I shall outline first the main features and implications of his theory, followed by an account of typical criticisms. Then I shall contrast Girard’s ideas with models of the social sciences, noting the failure of the latter to elucidate the phenomenon of violence. This will lead to the argument that causes for the human rights crisis are to be sought not in human violence *per se* but in the dynamism of mimetic desire and the mechanism of sacrificial scapegoating. If, as Girard posits, these are indeed the anthropological foundations of cultural institutions, the implications for the human rights project are far-reaching. For instance, one could argue on anthropological grounds that the world’s trust in political, juridical and pedagogical solutions as answers to the problem of human

²²⁵ The important question why violence is reciprocal and cannot be appeased will be addressed when Girard’s notion of mimetic desire is explored.

²²⁶ Chris Fleming, *René Girard: Violence and Mimesis* (Cambridge: Polity Press, 2004); Michael Kirwan S.J., *Discovering Girard* (London: Darton Longman and Todd, 2004); Raymund Schwager, *Must There Be Scapegoats?* (San Francisco: Harper & Row, 1987); Robert Hamerton-Kelly, “Religion and the Thought of René Girard”, in *Curing Violence*, ed. Mark I. Wallace and Theophus H. Smith (Sonoma, CA: Polebridge Press, 1994), 3-24; James G. Williams, *The Bible, Violence and the Sacred: Liberation from the Myth of Sanctioned Violence* (Valley Forge, Pa.: Trinity Press International, 1995); Anthony W. Bartlett, *Cross Purposes: The Violent Grammar of Christian Atonement* (Harrisburg, Pennsylvania: Trinity Press, 2001), 27-37; Burton L. Mack, “The Innocent Transgressor: Jesus in Early Christian Myth and History”, *Semeia* 33 (1985), 135-65. Most articles in Wallace & Smith’s *Curing Violence* contain brief summaries of Girard’s theory. For a comprehensive exposition in German see Wolfgang Palaver, *René Girard’s Mimetische Theorie: Im Kontext Kulturtheoretischer und Gesellschaftspolitischer Fragen*, Beiträge Zur Mimetischen Theorie, vol. 6 (Münster; Hamburg; London: LIT Verlag, 1998).

rights violations may be misplaced, the unprecedented development of human rights jurisprudence in the second half of the 20th century notwithstanding.

The Trajectory of Girard's Thought

The milestones of Girard's intellectual quest are reflected in his major publications: *Mensonge romantique et vérité romanesque* (1961), *La violence et le sacré* (1972), *Des choses cachées depuis la fondation du monde* (1978), *Le bouc émissaire* (1982).²²⁷ In *Mensonge*, Girard links mimesis with desire and discerns its triangular structure or derivative nature. This discovery enabled him to unravel the hidden plot behind the human drama. Having located the motivational centre of humanity in mimetic desire and rivalry, Girard uses this insight to re-read cultural history in its entirety. In *La violence* he proposes the theory of the sacrificial crisis and the collective killing of a victim as its resolution. He then claims that this mechanism lies at the root of all religion and culture. In his exploration of this anthropological phenomenon and its socialization, he acknowledges his indebtedness to Freud (but also criticizes him) and discusses the relation between mimesis and rivalry and how overcoming difference (which is the object of acquisitive imitation) also leads to rivalry. From this he concludes that, for the imitator, the end of mimetic desire is the appropriation of the identity of the model. Because the imitator re-presents this appropriated identity as distinct or different from the original,²²⁸ such appropriation "eliminates" the other. According to Girard, this inevitable result of mimetic desire and its escalation becomes the defining act of humanity. Tragically, this cuts across the grain of social formation. Since conflict once unleashed will run its course until a victim is slain, sacrifice becomes the saving event in communities threatened by mimetic violence. The mechanism of mimesis assures that victims are seen as "monsters" responsible for the crisis. Their lynching thus promises a new beginning for the community after the chaos. Once slain, victims also become the saviors of the community.

²²⁷ A bibliographical record of Girard's work, including contributions to collective works, is included in the Bibliography. The French titles have been mentioned here for chronological reasons. Future references relate to the English translations.

²²⁸ Burton L. Mack, "The Innocent Transgressor", 138.

In his later works, especially in *Le bouc*, Girard is no longer concerned with the *definitive act of humanity* or the “originary scene” but with testing his theory as he relentlessly probes many texts in relation to the scapegoat mechanism and the mythical concealment of violence.

In *Des choses cachées* and also in *Le bouc*, Girard turns his attention to the Judeo-Christian scriptures. In his view, the Old Testament begins a prophetic process that critiques the ancient mythological mindset of the sacrificial culture which always tells the story from the perspective of the persecutors. For Girard, this process comes to full fruition in the New Testament.

Main Features and Implications

In Girard’s proposal, the “scene of [human] origin” lies not in the cathartic experience of the kill during the hunt as Burkert has suggested, but in the horror of an outbreak of unstoppable violence *within* the archaic community. It is the internal crisis, the spilling over of violent reciprocity into the “interior” of their social space, not the catharsis experienced in the “exterior”, that fills the group with dread and now brings about the perception of an encounter with the “sacred”.

This notion has important implications for Girard’s interpretation of the origin of sacrifice and the nature of religion.

First, sacrificial ritual originates with a human victim, not with animal sacrifices. For Girard, animal sacrifices belong to later substitutionary development.

Second, Girard perceives violence as a reciprocal phenomenon, which, like vengeance, lends violence its self-perpetuating and interminable character. Therefore, the function of sacrifice and victimary substitution is the transmutation of reciprocal violence into a culturally “safe” ritual by venting it on a victim from whose death no one needs to fear reprisals. As long as this act is perceived by all as “sacred violence”, it breaks the destructive momentum of vengeance and transposes

it into a protective one. In other words, in primitive society sacrifice holds the impulse for revenge in check in the guise of religious violence.²²⁹

Third, this understanding throws light on the choice of sacrificial victims. To be “sacrificiable”, victims had not only to be sufficiently similar to allow substitution, but also sufficiently different and marginal to make them legitimate targets of collective violence that would draw the focus away from the community proper. This explains why slaves, prisoners of war, the deformed and children qualified. As they were not fully integrated into the community, their slaughter would not pose a reciprocal threat of revenge or blood feud.²³⁰

It is often thought (as in Burkert’s scheme) that sacrifice was associated with the notion of guilt. Girard denies this link. Sacrifice is ritualized vengeance, and not an act of expiation. In primitive society the orientation is not towards a wrongdoer but towards a victim designated to absorb the communal violence. Girard argues that the question of guilt only arises in judicially structured societies with their orientation towards the concepts of transgression and a guilty party. The idea of guilt and transgression could not have arisen in primitive society for the concept of “justice” was quite unknown.²³¹ This explains the puzzling practices in some tribal cultures of our day where attention is deliberately diverted away from the guilty party toward an innocent victim out of fear that bringing the wrongdoer to justice might ignite the contagious fires of vengeance.²³²

²²⁹ Girard, *Violence and the Sacred*, 12-14, 21. Religion, in Girard’s terminology, is another word for the “obscurity that surrounds man’s efforts to defend himself by curative or preventive means against his own violence” (*ibid.*, 23).

²³⁰ *Ibid.*, 12-15. Girard makes an interesting comment regarding the sacrificiability of kings and married women. In his view, kings were ‘sacrificiable’ because their existence was not integrated with the rest of the community in that their position isolated and ‘marginalized’ them *vis-à-vis* the community as a whole. Married women, by contrast, were ‘non-sacrificiable’, for even after marriage they remained part of their father’s clan and their death subject to vengeance.

²³¹ *Ibid.*, 21.

²³² Girard, *Violence and the Sacred*, 22. This pattern may be observed in the fundamentally feudal structure and the factionalism of political elites in Cambodia which makes it extremely difficult to bring the former leadership to justice for Khmer Rouge violations of international criminal law (see Craig Etcheson, “Dealing with Human Rights Violations from the Previous Regime: Dilemmas of Accountability in Cambodia”, in *Human Rights Commission and Ombudsman Offices: National Experiences Throughout the World*, ed. Kamal Hossain *et al.* [Hague; London: Kluwer Law International, 2000], 115-29).

Girard draws attention to the similarity between the sacrificial system of earlier civilizations and the judicial system of more advanced societies. He argues that they are functionally identical in that both fulfill the same purpose: to save society from its own violence. However, both will “work” only as long as they are perceived as having exclusive access to the means of vengeance. In the case of the sacrificial system this is established by the centrality of the “sacred”, and in the case of the judicial system by the “independent authority” of the law. While each system declares its own violence “holy” and legitimate over and against any other source of violence, each equally obscures the fact that human beings need protection from their own reciprocal violence. Should this veil be lifted, both systems lose their efficacy. Or in another way, demystification robs both systems of their power to break the cycle of reciprocal violence. The ensuing weakening of the victimage mechanism leaves society open to loss of identity and to outbreaks of undifferentiated violence or anarchy, a point to which I shall return shortly. Under such conditions, society enters what Girard calls the “sacrificial crisis”. When the notion of legitimate violence is lost, society is exposed to the irrepressible powers of reciprocal violence and its contagious escalation. Then, writes Girard, “man’s desires are focused on one thing only: violence”.²³³ The key to an understanding of this startling conclusion lies in Girard’s notion of desire and its relation to violence.

To understand Girard’s notion of desire, it is important to grasp that in his scheme desire is “mimetic”. With this qualifier Girard means, on the one hand, that desire is distinct from appetite or biological needs such as hunger or thirst. On the other hand, it is to say that human beings imitate each other. They copy not only gestures, language and other cultural expressions but also each other’s desires. Conflict results when this process leads to convergence of desires on the same object.

If desire is mimetic, the conflictual nature of human interactions may be explained. It is a well-known tendency in ethology to extrapolate animal behavior into the human sphere. The idea that human aggression and violence are “instinctive” owes its existence to this tendency. However, violence in animals rarely leads to the death of an opponent or rival. A built-in mechanism terminates the combat before it reaches the lethal stage. Such a constraint is lacking in humans. Consequently, when

²³³ Girard, *Violence and the Sacred*, 22-30, 145.

faced with a rival, humans are defenseless against their own impulses which they do not know how to control. However, before we can understand Girard's notion of "desire", we need to trace his thoughts about the pivotal role he ascribes to the "rival" in relation to desire and its violent manifestations.

In other words, in Girardian thought, desire does not arise in a subject as an autonomous and spontaneous attraction to an object, neither is a rival defined as the result of two autonomous desires spontaneously and concurrently converging upon the same object. Rather, "*the subject desires the object because the rival desires it.*"²³⁴ In other words, the desirability of an object for the subject lies not in the object itself, but in its desirability in the eyes of another. Girard explains:

In desiring an object the rival alerts the subject to the desirability of the object. The rival, then, serves as a model for the subject, not only in regard to such secondary matters as style and opinions but also, and more essentially, in regard to desires.²³⁵

We will not understand the intensity and significance of this "imitation of desire" until we see its essential motif. Desire not only seeks to possess the object to which the model points, but also seeks to be "possessed" by it, for the acquisitiveness of desire is not primarily directed at the object itself but at what it signifies, namely the model proper. In other words, this acquisitiveness aims at the very *being* of the one who finds the object so desirable. According to Girard, it is the imitator's perceived *lack of being* or his sense of ontological emptiness that drives the intensity of acquisitiveness. An existential void which the successful acquisition promises to remedy appears at the core of human desire.²³⁶ This acquisitiveness is therefore, as Fleming explains, "merely a path, the perceived privileged route, to the attainment of the ontological self-sufficiency detected in the rival".²³⁷

This dynamic renders desire essentially conflictual, and the ensuing conflict is irreconcilable, except at the expense of the model or a substitutionary victim.²³⁸

²³⁴ Girard, *Violence and the Sacred*, 145 (original emphasis).

²³⁵ *Ibid.*

²³⁶ *Ibid.*, 146.

²³⁷ Fleming, *René Girard*, 24.

²³⁸ Girard, *Violence and the Sacred*, 146.

What is more, the outworking of this conflict locks both model and imitator into what Girard has called the *double-bind* in which they constantly signal contradictory messages to one another – “imitate me, but don’t desire my object”. This phenomenon, Girard contends, forms the basis of all human relationships and is, in the final analysis, the instigator of the sacrificial crisis where desire and violence are no longer distinguished.

At the point of a “mimetic crisis”, violence begets more violence as each participant resorts to more violence to overcome the violence of his opponent. Under the dynamics of the double-bind, the distinction between model and imitator vanishes so that the mimetic crisis becomes a crisis of non-differentiation that threatens the cohesion of the community (which is built on distinctiveness) unless at the height of undifferentiated violence a surrogate victim is arbitrarily slain. The unanimity of the collective murder causes the violence to subside and the vicious cycle of mimetic violence to be broken. This death and the ensuing peace (absence of violence) transmute the energies of reciprocal violence into sanctioned ritualistic forms so that their later performances occur as re-enactments of the scene of origin through which the cultural order is preserved.²³⁹ Religion is thus not an attempt to contact “the gods” but ritualized vengeance that prevents its destructive outbreak.

We may summarize the five chief elements of Girard’s “mimetic anthropology” as follows.

Mimesis

In Girard, mimesis is not the copying of actions but the imitation of desire, or the replication of another’s attraction towards an object. In this definition, mimesis is acquisitive and desire is “suffered desire” that arises spontaneously when the object is valued by a mediator. Girard distinguishes between external and internal mediation. The greater the distance between the subject and the mediator, the freer is the relationship between them from the possibility of rivalry. In that case, Girard speaks of external mediation. If the distance diminishes, not only does the possibility of rivalry increase but its intensity also rises proportionately. Then Girard speaks of

²³⁹ Girard, *Violence and the Sacred*, 149.

internal mediation, in which case the model or mediator has also become the obstacle. He or she now obstructs the desired acquisition while constantly signaling the desirability of the object. This model/obstacle dynamic shifts the value from the object itself to the obstruction which also explains why prohibition heightens the object's desirability.

Metaphysical Desire and Transcendence

When mimesis progresses towards rivalry, the object becomes less and less important as desire focuses on the mediator become obstacle. At the height of the conflict the object is forgotten altogether. At this point, desire has become metaphysical and now seeks to possess not the object but the being of the other, in fact to become the other. The conflict is over recognition and prestige.

Since human desire is mediated desire, i.e. it does not arise from within but from an external source, Girard interprets its triangular nature to mean that human beings are structured towards transcendence. Human desire is to be mediated by a truly transcendent spiritual source. Therefore, mimetic rivalry is the pathological variant of desire awakened by a false transcendence, that is, by the proximity of the desire of another human being.²⁴⁰ Hence, Girard's anthropology is one of human fallenness.

The Mimetic Crisis

A further progression of mimetic conflict leads to the formation of doubles. The subject and the mediator of desire become more and more like each other. In this instance, the rivals copy each other's desire and in the process erase their differences. Girard calls this point in the progression the "mimetic crisis",²⁴¹ Since mimetic desire is highly infectious, it affects groups and society to the point where it can spin out of control and threaten the existence of community. However, the operation of mimesis ensures that at the extreme the total reciprocal violence is vented unanimously on a

²⁴⁰ Robert Hamerton-Kelly, "Religion and the Thought of René Girard", in *Curing Violence*, ed. Mark I. Wallace and Theophus H. Smith (Sonoma, CA: Polebridge Press, 1994), 8.

²⁴¹ It is present where distinctions become so blurred that one can no longer tell the difference either between the sexes, or between humans and animals and, in our time, even between humans and machines.

surrogate victim which is killed. The murder of the victim brings peace. But if the cause for their unanimity is misattributed to the victim rather than to the function of mimesis aroused by the victim mechanism, the peace is based on a delusion. Because the resolution of the crisis demands the blood of a victim, the mimetic crisis is also called “sacrificial crisis”.

The Victim and the Sacred

According to Girard, this misattribution occurs spontaneously at the height of the crisis when the group transfers its violence to the victim. Violence is not repressed, but through the process of transference it becomes “detached”. This turns the victim into a god who miraculously transforms the destructive violence of the conflict into legitimate violence for the sake of peace in the community.²⁴² The result is a double delusion. The victim is seen as “supremely active and powerful”,²⁴³ while its corpse has become the transcendent signifier of the “sacred” whose violence, like a double-edged sword, cuts both ways: it ensures the order of society but also has the power to destroy it.²⁴⁴ Under this delusion, the “sacred” masquerades as the cause as well as the cure of mimetic violence and as such represents “the transcendental pole of primitive religion”.²⁴⁵

The Scapegoat

The term relates to the unconscious transference of violence onto another along with its associated guilt. In myths, the scapegoat is represented by “texts of persecution”, similarly in stories which tell the tale from the perspective of the persecutors.²⁴⁶ It is both a term in common language as well as a ritual act that communicates the

²⁴² Girard, *Violence and the Sacred*, 136.

²⁴³ Girard, *Things Hidden*, 52.

²⁴⁴ Girard, *Violence and the Sacred*, 31.

²⁴⁵ Hamerton-Kelly, “Religion and the Thought of René Girard”, 13. Because they are in essence sacred structures that exist to restrain mimetic violence, the repute and influence of all institutional hierarchies are based on unacknowledged violence, according to the theory. In other words, the power of the “sacred” is rooted in fear which generates the ordering elements of culture: prohibition, ritual and myth.

²⁴⁶ Persecution texts are texts that conceal the violence of the persecutors and describe the persecution of Jews, witches, heretics or other ‘outsiders’ as legitimate.

dynamic and result of transference. By pointing indirectly to the need for transference, however, it partly discloses the underlying problem of the human subconscious which, since the originary scene is structured on the basis of a lynching, seeks to rid itself of violence and guilt by laying it on others.²⁴⁷ In short, Girard rejects the idealistic notion that it is natural for human beings to live in peace with each other.

* * *

Girard's seminal thinking has had wide-ranging impact on the debate about the origins of civilization and religious theory. But also other disciplines have found his thoughts attractive and the growing secondary literature is an indication that a new interdisciplinary discourse is emerging. On the other hand, his sweeping claims (all violence is rooted in mimetic desire, and human civilization is a prophylactic structure, a form of organized, albeit sophisticated, victimage that prevents mimetic violence) have understandably not met with universal acceptance.

Typical Criticisms

Girard's wide-ranging theory has caught the attention of a growing number of scholars. Not only has his work been widely read in his native France, but also the English-speaking academy has begun to draw on his insights across a range of disciplines. International conferences have explored his ideas and the interpretive literature is growing.²⁴⁸ Girard's collaboration with French psychologists Jean-Michel Oughourlian and Guy Lefort has produced a psychology of the "interdividual" that radicalizes the social dimension of the human self. Ourghourlian even attributes phenomena like hypnosis to human mimesis. Economist Paul Dumouchel and others have applied Girardian thought to such issues as market competition and scarcity. The *Journal of the Colloquium on Religion and Violence*, *Contagion*, regularly publishes findings of research conducted with and on Girard's

²⁴⁷ As Hamerton-Kelly puts it, "it is half-way between the pole of concealment and the pole of complete disclosure" (Hamerton-Kelly, "Religion and the Thought of René Girard", 22).

²⁴⁸ Note particularly the diversity of titles emerging from biblical scholarship. The theological faculty of the University of Innsbruck regularly updates the bibliography of literature on mimetic theory; available from <http://theol.uibk.ac.at/mimdok>

theory. Biblical scholars Hamerton-Kelly and James Williams have applied Girard's theory to the interpretation of the Bible, while Catholic systematic theologian Raymund Schwager makes wide use of the Girardian grid in his theological project. James Alison has examined the doctrine of original sin from a Girardian perspective while Gil Bailie has undertaken to bring Girard's theory to a wider readership outside the academy.

While Girard has, no doubt, presented a most intriguing and compelling hypothesis, it is also controversial. When he and his followers proffer it as the ultimate explanation for all institutions of culture and religion, questions arise about the validity of assumptions, the nature of the evidence and the scientific method by which his arguments are sustained.

One of Germany's foremost Catholic theologians and Guardini Award winner, Eugen Biser, dismisses Girard's theory as an "absurd thesis" and combines his criticism with a sharp attack on Raymund Schwager and his school.²⁴⁹ German scholar Markwart Herzog has criticized Girard for drawing the *Totalität der Geschichte* from a single event-type. While he concedes that Girard has assembled much empirical material from mythology to support his "*Kultopfer*"-theory, Herzog remains skeptical whether the same material is capable of validating the assumption of an "*Uropfer*" the historicity of which cannot be validated.²⁵⁰ He also argues that Girard's system is scientifically unsound in that it is not open to critical evaluation and cannot be falsified by empirically grounded objections. This immunity comes at the price of being unscientific.²⁵¹

²⁴⁹ Eugen Biser, "Die Stimme der Antigone: zu Georg Baudlers Untersuchung über Gewalt und Gewaltlosigkeit in Religion und Christentum", *Theologische Revue* 50, no. 9 (1994), 355-64; 367-68.

²⁵⁰ Markwart Herzog, "Religionstheorie und Theologie René Girards", *Kerygma und Dogma* 38, no. 2 (April/Juni 1992): 105-37. See also Leo D. Lefebure, "Victims, Violence and the Sacred: The Thought of René Girard", *The Christian Century*, 11 December 1996, 1226-28; likewise Walter Wink does not believe that all myths "are lies masking events of generative violence", but offers no evidence for his view (Walter Wink, *Engaging the Powers: Discernment and Resistance in a World of Domination* [Minneapolis: Fortress Press, 1992], 153).

²⁵¹ Herzog writes: "... wenn es zu den Minimalbedingungen wissenschaftlicher Theoriebildung gehört, dass sie an den Gegebenheiten, die zu ihrem Gegenstandsbereich gehören, überprüft, modifiziert und auch widerlegt werden kann, dann ist diese Unangreifbarkeit teuer, eben um den Preis der Unwissenschaftlichkeit, erkaufte worden" (Herzog, "Religionstheorie", 131). On the same point, John Howard Yoder laments, "the way Girard selects what data to use and how to read it goes beyond my capacity to evaluate. I here report on his synthesis without being clear how one might expertly

Girard's *Totalsanspruch* must logically encompass also natural dynamics such as feeding, sexuality or play. Since none can be excluded, Girard proposes a monism of violence, despite attempts to refute this charge.²⁵² Moreover, Herzog raises theological objections to Girard's *Gottesgedanken*. According to Herzog, it is illustrative at best and structurally irrelevant for the theory, and Girard's anthropocentric starting point is to be blamed for his distortion of "revelation". Also, atonement dynamics are seen merely sociologically, not in terms of what is really at stake, namely the personal relationship between God and the human creature. Finally, the divinity of Jesus is explained not out of his relationship to the Father but as a function of his relation to violence. If revelation is no more than the space of God's negative reaction to mimetic violence,²⁵³ Girard has reduced Christology to anthropology.²⁵⁴

In an attempt to answer these charges, James Williams and Raymund Schwager have come to Girard's defence. If Girard has called his theory "scientific", it should be understood in the sense that it is "analytic" and not positivistic. Girard himself admits that his theory is not verifiable by the criteria of Karl Popper. James Williams has been careful to avoid the term "scientific," and presents Girard's proposal as a "heuristic model", whose interpretive power should be tested rather than its factual accuracy. By the same token, the demand that it should account for every cultural detail is absurd simply because traditional variations inevitably

validate or invalidate it. That absence of a recognized disciplinary grid obligates the reader to enter in an amateur way the conversation Girard has opened, and thereby justifies my amateur access, despite the difficulty of such an enterprise ..." (John Howard Yoder, "Chapter III: After Antisthenes", unpublished paper, accessed 23 June 2002); available from <http://www.nd.edu/~theo/research/jhy2/writings/punishment/scapegoat.htm>

²⁵² Herzog, "Religionstheorie", 13; for a refutation which in Herzog's opinion fails, see Schwager, *Must There Be Scapegoats?*, 25-42.

²⁵³ See also Leo D. Lefebure, *Revelation, the Religions and Violence* (Maryknoll, New York: Orbis Books, 2000), 16-20.

²⁵⁴ Hans Urs von Balthasar too has subjected Girard's work to a theological analysis and while he values Girard's idea of the scapegoat mechanism, he has criticized Girard for his limited view of Christ's saving work, which, he argues, because of its trinitarian nature, cannot be understood merely from an anthropological point of view (Hans Urs von Balthasar, *Theo-Drama*, Vol. IV [San Francisco: Ignatius Press, 1994], 298-313; also George Hunsinger, "The Politics of the Non-Violent God: Reflections on René Girard and Karl Barth", *Scottish Journal of Theology* 51, no. 1 [1998], 61-85).

develop over time.²⁵⁵ In this light, the charge of nomism does not hold. Moreover, Girard has not claimed to write as a theologian, but has attempted to present an “anthropology of the cross”. Schwager has also defended Girard along anthropological lines²⁵⁶ and taken Girard’s model deeply into his dramatic theology, as we shall see later.

Peter Oberhofer has recently taken up the question of the scientific status of Girard’s hypothesis again and observed that to pose the antithesis of a “scientific” and an “hermeneutical” reading of mimetic theory must remain unsatisfactory because the “scientific” issues raised are not likely to be cancelled by treating the theory as a heuristic model. This, however, is not to say that the latter negates the scientific character of the theory. It only draws attention to the inadequacies of its “scientific” categories to deliver on its own an adequate anthropological interpretation of its findings.²⁵⁷

Bruce Chilton²⁵⁸ has been much more reserved in his evaluation of Girard, especially in respect to the notion of sacrifice. He also noted that Girard is frequently charged by his critics with “an excessively genetic concern with origins”. Given that Girard himself has charged others, notably Freud, with mythologizing distant events, this would be a grievous allegation. But Chilton credits Girard’s genius with taking the analysis deeper than Freud. For Girard, the distant event has power because it is not merely primeval but primordial, which means that it is “capable of renewing itself as psychological conditions demand”.²⁵⁹ Girard’s brilliant insight that mimesis is a renewable resource,²⁶⁰ however, prompts the question whether humanity is inexorably tied to violence. Girard denies it.²⁶¹ While scapegoats may be found as

²⁵⁵ James G. Williams, *The Bible, Violence, and the Sacred Liberation from the Myth of Sanctioned Violence*, Pbk. ed. (Valley Forge, PA: Trinity Press International, 1995), 13-14.

²⁵⁶ Schwager, *Must There Be Scapegoats?*, 25-27.

²⁵⁷ Peter Oberhofer, “Mimetische Theorie als Hermeneutik”, in *COV&R Conference* “Passions in Economy, Politics and the Media”, 20 June 2003, Innsbruck University.

²⁵⁸ Bruce Chilton, *The Temple of Jesus: His Sacrificial Program within the Cultural History of Sacrifice* (University Park: Pennsylvania State University Press, 1992).

²⁵⁹ *Ibid.*, 20-21; also Girard, *Violence and the Sacred*, 77, 140f.

²⁶⁰ *Ibid.*, 21.

²⁶¹ Hamerton-Kelly (ed.), “Discussion”, in *Violent Origins*, 123.

required (even mythological ones such as Freud's Eros and Thanatos), it is mimesis, not violence, that plays a primordial role.

John Dunnill offers a similar view, albeit from another angle.²⁶² While he is impressed by the elegance of Girard's theory of religion and by his "acuteness as a reader of texts", Dunnill questions whether Girard's theory of sacrifice is capable of encompassing all sacrifices under his two-stage scheme of mimetic violence and transference to the scapegoat. He echoes the critique of French anthropologist L. de Heusch who criticizes Girard for presenting a "vulgarized Durkheimian theory" and for his "neo-Christian, somewhat heretical theology".²⁶³

Commenting on Girard's methodology, Cohen finds Girard's admiration for Sartre revealing and explanatory of his "Byzantine deconstructivism" (in a methodological sense). He takes Girard to task over his "myopic addiction to narration, slighting the holistic and visionary aspect of life and art".²⁶⁴

Cheryl Kirk-Duggan, after examining Girard's proposal from a black-feminist perspective, echoes the concern that Girard's theory is reductionist and one-dimensional. Despite its claims to universality it lacks the capacity for an "adequate critique of women as protagonists and victims."²⁶⁵

Theophus Smith has observed that Girard is disinclined to enter the realm of praxis and seems to leave the emergence of non-violent cultures to chance,²⁶⁶ while John Darr believes that Girard's unique approach has "altered the landscape of such

²⁶² John Dunnill, "Methodological Rivalries: Theology and Social Science in Girardian Interpretation of the New Testament", *Journal for the Study of the New Testament* 62 (1996), 105-19.

²⁶³ Cf. L. de Heusch, *Sacrifice in Africa* (Manchester: Manchester University Press, 1985), 16-17.

²⁶⁴ Robert Greer Cohn, "Desire: Direct and Imitative", *Philosophy Today* 34, no. 4 (Winter 1989), 318-29.

²⁶⁵ Cheryl A. Kirk-Duggan, "Gender, Violence, and Transformation in *The Color Purple*", in *Curing Violence*, ed. Mark Wallace and Theophus H. Smith (Sonoma, CA: Polebridge Press, 1994), 266-86.

²⁶⁶ Theophus H. Smith, "King and the Black Religious Quest to Cure Racism", in *Curing Violence*, ed. Mark I. Wallace and Theophus H. Smith (Sonoma, CA: Polebridge Press, 1994), 244.

diverse fields as sociology, psychology, philosophy, literary theory, and religious studies”.²⁶⁷

* * *

These are important observations. The question arises how, while remaining mindful of these concern, Girard’s theory may serve the purpose of this study. Most scholars acknowledge the significance and provocative nature of his contributions, while rejecting the universal nature of his claims. Girard has certainly provided the discourse on violence and religion with many profound insights and with a useful vocabulary. As the emerging literature shows, he has stimulated many disciplines including Christian theology to rethink certain areas that have been left unattended or excluded from the discussion. Because Girard’s insights into mimetic conflict and the scapegoat mechanism must be ranked among the most penetrating intellectual discoveries,²⁶⁸ I propose to adopt an approach others have found helpful, namely to appropriate the results of Girard’s synthesis while remaining open to the possibility that the scapegoat phenomenon may not be the final word on the origin of culture and religion. At the same time, I note that Girard’s theory, while elucidating the phenomenon of collective violence and envious murder, does not account satisfactorily for the depth of human evil.

From the foregoing, we can assume with good reason that Girard’s model will yield fresh perspectives on the crisis of our time, a point Hamerton-Kelly’s comment certainly affirms:

Mimetic desire is infectious on the group level; we catch it from one another. Fashion, the arms race, and the market are driven by mimesis. The market defines in large measure our likes and dislikes; it is a network of bondage to one another’s imagined wants, an essentially fantastic web of servitude to the phantoms of desire. Mimesis thus generates violence in groups through the competition for objects and for prestige. Unless this violence can be contained it will make culture impossible.²⁶⁹

²⁶⁷ John A. Darr, “Mimetic Desire, the Gospels, and Early Christianity: A Response to René Girard”, *Biblical Interpretation* 1, no. 3 (1993), 357-67.

²⁶⁸ Walter Wink, *Engaging the Powers: Discernment and Resistance in a World of Dominion* (Minneapolis: Fortress Press, 1992), 155.

²⁶⁹ Hamerton-Kelly, “Religion and the Thought of René Girard”, 9.

How Girard's discovery undermines the intellectual foundations of religious relativism that currently dominates the cultural, political and religious discourse, including the human rights discourse, is the question to which we now turn.

GIRARD AND THE JUDEO-CHRISTIAN TRADITION

Differentiating Myths and Judeo-Christian Revelation

In approaching the thought-world of the Judeo-Christian tradition, Girard has rigorously maintained his anthropological focus (differing from Schwager, who emphasizes the theological application of mimetic theory). What has occupied Girard in his later work has been the question of religious relativism and the truth claims of the Judeo-Christian tradition. This section will trace his thoughts.²⁷⁰

Already in antiquity paganism tried to relativize Christianity's claim to uniqueness by pointing to the similarity between biblical stories and mythical accounts. The Passion account of Christ, it was asserted, differed little from the myths. Members of the pagan pantheon like Dionysus, Osiris and Adonis also suffered martyrdom at the hands of a frenzied mob. This violence too occurred at the height of a social crisis, and was followed by the triumphal reappearance of the slain victim. This "resurrection" was then interpreted as a revelation of its deity.²⁷¹

In search of a global, unifying theory of religion, ethnologists of the 19th and early 20th century drew similar conclusions. Although such attempts never succeeded, they displayed a form of intellectual imperialism reflective of the political and colonial imperialism of their time. Girard notes, that although many of these ethnologists were anti-colonialists, they were nonetheless motivated by the double passion typical of Darwinism: a passion for science coupled with a passionate anti-religious bias. Both motivated their search for the essence of "religion" in order to discredit Christianity's claim to uniqueness, to un-repeatability and particularity. The contemporary relativist claim that insists on the similarity of all religions has

²⁷⁰ For the substance of the following I rely on Girard's "Mimetische Theorie und Theologie", in *Vom Fluch und Segen der Sündenböcke*, ed. Joseph Niewiadomski und Wolfgang Palaver (Thaur: Kultur Verlag, 1995), 15-29.

²⁷¹ *Ibid.*, 16.

identical roots. From Girard's view point, even when differences between religions are discussed, they tend to miss the point because they omit the one difference that really counts, so that the conversation always ends with the similarity between myths and Christianity. Since these are too numerous and too obvious, the possibility that Christianity is unique is rejected.²⁷²

What is then the essential difference between Christianity and myths? In the Christian presentation the victim is innocent and collective violence is self-evidently guilty, while in mythology the crowd is always innocent (even when the victims – as is sometimes the case – are also portrayed as innocent). Oedipus is really guilty and the crowd of Thebes has good reason for expelling him. But the Servant of God (Isaiah 53) and Jesus are indeed innocent. Their death is portrayed as an injustice.²⁷³

According to Girard, Nietzsche has overlooked something decisive. The morality on which the Judeo-Christian defence of the innocent victim is based is not Nietzsche's "slave morality", that is, the malicious lust for vengeance of the weak against the strong. It is instead a morality which correlates to the truth that the victims are indeed innocent. This congruence of truth and morality escaped Nietzsche and those who follow him in his anti-Christian bias. What these critics of Christianity overlooked is the unanimity that the scapegoat engenders and its moral implications.

In other words, mimetic theory lays bare what goes on behind the superficial similarity of myths and the Judeo-Christian tradition. The chaos that precedes collective violence is the disintegration of human society which is the fruit of mimetic rivalry. To this all people are prone and, because it is contagious, rivalry and thus violence escalates. But mimesis also unites society against the "scapegoats", who are thought to be responsible for the disorder. This apparent lucidity as to who is responsible is in fact the result of a delusion derived from mimetic contagion,²⁷⁴ a point to be borne in mind when considering the human rights system and the apparent social unanimity it engenders.

²⁷² Girard, "Mimetische Theorie", 17.

²⁷³ *Ibid.*, 18.

²⁷⁴ *Ibid.*, 18-19.

The myth then is a phenomenon of the crowd. This delusionary construal is incapable of unveiling even the most improbable accusations which always centre on “oedipal” crimes, patricide, incest and plague-transmission. These crimes are projected on victims in an attempt to cover the crowd’s persecutor mentality. Myths deceive in that they reverse the real and inescapable relation between isolated, powerless victims and society which persecutes them. The Judeo-Christian texts, however, unveil the truth of that relation which the myths seek to conceal. These texts re-establish the right relationship. Thus the Judeo-Christian tradition shakes the mythical system in its entirety.

But this lie so exposed plays an important role in culture. Anthropologically, both the myths and the Christian story have their home in the same type of crisis. It is the same mechanism that produces the victims. What distinguishes the Christian tradition is its reaction to the crisis. In the myths, the mechanism (Girard calls it “the machine”) works so efficiently that the unanimity it generates is total. No one is exempt from the violent contagion of the mob so that every opposition is excluded. The results are portrayed by the myths as “pure truth”. But under the impact of Judeo-Christian revelation, the “machine” no longer works efficiently. Indeed, in the Gospels²⁷⁵ it works so badly that the whole truth of the scapegoat mechanism is exposed.²⁷⁶

Girard argues that the extraordinary nature of the revelation is not undermined by the fact that in a global sense neither Jewish nor Christian communities have been more efficient than mythical communities in their resistance against violent contagion. That small minorities were, however, able to achieve it, testifies to the effectiveness of the revelation in a twofold way: it lends uniqueness to the tradition itself and then comes to life at its very centre when minorities resist contagion with mimetic violence. While they were too small to carry the victory in history, they were nevertheless powerful enough to influence the redaction of the Christian texts decisively. Compared with mythical presentations, which always seek to preserve the unifying and purifying effect of violence, the Judeo-Christian

²⁷⁵ The word is capitalized when it refers to a NT book or collection of books, e.g. Matthew’s Gospel or the Synoptic Gospels; when it refers to the gospel message it is typed in lower case.

²⁷⁶ Girard, “Mimetische Theorie”, 20.

narrative reveals that collective acts of violence lead to a “division” even in the gospel text itself. For instance, the synoptics let Jesus say that he brings war not peace, while the fourth Gospel depicts Jesus as bringing division wherever he presents his message. In other words, the revelation deconstructs a social harmony that is based on the lie of violent unanimity. In respect of the crisis, the myths only represent the passive reflex, while the Judeo-Christian tradition actively reveals the collective scapegoat-producing machine behind it.²⁷⁷

This truth is inaccessible to myth. At the same time, however, according to Girard, the Judeo-Christian tradition is fully conscious of it. That tradition is

neither an ethnocentric stupidity nor rivalry with other religions from which it monopolizes and cashes in this truth claim. Nietzsche was correct on this point: No other religion defends victims in the same manner as the Judeo-Christian tradition. But if Nietzsche saw in it the mark of inferiority, we see in it an expression of superiority. Religious relativism is thus defeated on its own turf – anthropology.²⁷⁸

However, from the perspective of incarnational religion, this anthropological emphasis cannot be thought of as independent of the theological dimension. As far as desacralization is concerned, Christianity is itself somewhat problematic. Is not the Passion story a throwback on archaic patterns whereby the saving activity of Jesus is mediated through a rehabilitated scapegoat, and is not Jesus himself a sacralized scapegoat?²⁷⁹ If this were the case, argues Girard, the deity of Christ would have its roots in violent sacralization, the witnesses to his resurrection would have been the crowd that demanded his death rather than a small group of individual followers who protested his innocence, and the peace of Christ would be the same peace the world gives, namely the surrogate peace that follows the slaying of an innocent victim. The contrary is true. The Gospels proclaim an undermining of that false peace and the fragmentation of a sociality built on violent unanimity. In other words, the NT completes the process of desacralization by revealing the mimetic

²⁷⁷ Girard, “Mimetische Theorie”, 21.

²⁷⁸ *Ibid.*, (my translation).

²⁷⁹ *Ibid.*, 22.

genesis of scapegoats and their founding and structuring function in human culture.²⁸⁰

Mimetic Theory and Historical Christianity

As we have seen, Girard's theory understands the effect of the Judeo-Christian tradition on history as one of a progressive desacralization of culture. This process is gradual and comprises several components. Myths are no longer being generated and give way to texts of persecution, sacrificial practices disappear, and surrogate victimage fails to bring social order even when the violence committed by persecutors is regarded as divinely ordained.

But it would be a serious mistake to understand Girard's argument as an apologetic for historical Christianity. For that, argues Fleming, it had too readily absorbed into its own practices the sacrificial structures unveiled by the Gospels so much so that historical Christianity became "*one of the principal mechanisms for hiding its own revelation*".²⁸¹ That the non-violent praxis of the early Church fell victim to the interests of the Empire under the fourth-century Constantinian alignment of state and church, is historically documented. In the context of examining the violence committed in the name of Christianity, this phenomenon has recently received renewed critical attention, stimulated largely by Girard's anthropology.²⁸² Fleming's comment that "Christianity absorbed Christ's teaching in perhaps the only manner that it could: through the doctrine of the sacrificial atonement" may serve as an apt summary of these findings.²⁸³ This discovery does not excuse or minimize the atrocities of Christendom. The fact, however, that in the course of history Christians should have badly mistaken the message of Jesus does not subvert the message but rather corroborates it

²⁸⁰ Girard, "Mimetische Theorie", 23.

²⁸¹ Fleming, *René Girard*, 144 (original emphasis).

²⁸² Anthony W. Bartlett, *Cross Purposes: The Violent Grammar of Christian Atonement* (Harrisburg, Pennsylvania: Trinity Press, 2001) who exposes the warrior ethos that had entered the church, pp. 96-139. Also Charles Bellinger, *The Genealogy of Violence* (Oxford: Oxford University Press, 2001), 98-112, and Denny Weaver, *The Non-Violent Atonement* (Grand Rapids: Eerdmans Publishing Company, 2001), 82-86. Both authors link Christian violence to post-Constantinian atonement theology.

²⁸³ Fleming, *René Girard*, 144.

[b]y attesting historically to the insidiousness, pervasiveness and seeming intractability of violence in culture. Indeed, perhaps the character and intensity of Christian violence itself is related to the fact that it was first in 'Christian' cultures that the initial, intense conflicts between a growing awareness of scapegoating and the biblical demand for giving it up were felt most acutely.²⁸⁴

Yet the process of desacralizing the culture does not mean that scapegoating has come to an end. What it means is that the power of the scapegoat mechanism to unify the community and to hide its true origin has been permanently subverted manifesting as an inability to resacralize violence. This powerlessness Girard attributes to the constraining influence of the Judeo-Christian scriptures.²⁸⁵ However, this influence does not mean that a reduction in violence or of its intensity will follow in the foreseeable future. To the contrary, the ongoing failure of victimage will engender more violence as the mechanism needs to function at higher levels of intensity as the social cohesion of collective violence loses efficacy. Because desacralization engenders a social environment where vengeance is more readily possible, humanity will experience heightened polarization and fragmentation.

At this point of the discussion questions may be raised that highlight the severity of the current global crisis. If the generative mechanism of victimage has been unveiled, what is there to restrain the full revelation of violence? If rules of law are what holds modern society together, will they avert the crisis which the revelation of the victimage mechanism has let loose? Will human rights law prevent society from falling into apocalyptic violence and anarchy?

Today, humanity has at its disposal technological weapons capable of planetary destruction. For the first time in human history, the possibility of "limitless violence" exists. Girard calls it "absolute vengeance, formerly the prerogative of the gods". According to strategists, this "pending" violence will – under the auspices of the United Nations and various non-proliferation instruments predicated on the values enshrined in the UDHR – keep global violence in check. Yet in the light of the foregoing, this is a fallacious conclusion. Modern victimage no longer unifies society. Such "unsuccessful victimage" leads to increasing tribalization. This demythifying result of Christian revelation generates concomitant pressure to use

²⁸⁴ Fleming, *René Girard*, 145.

²⁸⁵ Girard, *Things Hidden*, 138, 161.

more violence. However, growing concern for victims – especially in the age of annihilation – also leads to pressure to renounce violence altogether. It is from this perspective that we must understand Girard’s argument that humanity faces the fundamental choice between “total destruction and the total renunciation of violence”.²⁸⁶

CONCLUSION

Why Conventional Models Fail

In his essay, *Modernity and the Holocaust*, Zygmunt Bauman has taken sociology to task over its failure to submit its model of society to a more rigorous critique in the light of the Jewish Holocaust.²⁸⁷ He charged that either the Holocaust was treated merely as an “extreme case” of otherwise familiar social categories we must learn to live with because of our natural propensity to aggression and prejudice, or it was cast into the frame of a horrific but logical consequence of a long history of discrimination against Jews in Christian Europe. By implication, the social sciences claimed that their conceptual framework was quite adequate to *explain* and *understand* the phenomenon of the Holocaust, and neither sociology nor the theory of civilization needed revision.

Because sociology adheres to the belief that rationality rules, says Bauman, it saw it as its task to describe the “dirty” tendencies and come up with predictive parameters which – based on certain causal relationships – would enable society to prevent nasty behavior from expressing itself. In other words, behavioral norms and better social engineering will stop future holocausts.

But as recent history has shown, this instrumental rationalism is deeply flawed. Exorcising our “dirty” tendencies and treating them as no more than an ignoble aberration along the path of human progress is no longer a persuasive argument. The alternative would mean to elevate them to the level of normality on the premise that modern society inevitably contains such “products” at least as a

²⁸⁶ Girard, *Violence and the Sacred*, 240.

²⁸⁷ Zygmunt Bauman, *Modernity and the Holocaust* (Oxford: Basil Blackwell, 1989).

possibility. But both routes fail to address the key question, “What have they to say about us?” which was, of course, Bauman’s main criticism.²⁸⁸

This brief excursus was to illustrate a point. It is an article of faith in modern society that a value-free scientific mentality together with efficient technology will lead to a more humane world. Yet, what made the Holocaust possible were these very pillars of our civilization, providing a detached scientific view, good systems design and efficient processes to the Final Solution of the Jewish question without ever contradicting the principles of rationality. In other words, the Holocaust was not an irrational leftover of an earlier barbaric stage of human development which we are in the process of outgrowing. Rather, it belongs more than we are prepared to admit to our own age. It depended on at least two rationalizations: (1) violence as a functional resource it may be used for the implementation of a supreme task in ethnic hygiene, and (2) and orders of superiors as the sole moral virtue (which concentrates the means of violence absolutely in the hands of the perpetrators). This example reveals the inherent problematic and the explanatory limitations of a functionalist view of violence. Or, from Girard’s perspective, its utilitarian rationalism fails to recognize the mythical and sacrificial core of violence.

Auschwitz poses the inescapable and perhaps ultimate challenge for mainline anthropology and the social sciences. It calls for profounder reflection upon the nature of the human being than their view of violence seems to allow. The noticeable and inexplicable silence in the anthropological literature over the Holocaust signifies a crisis of sorts – at best it is an admission of helplessness and at worst a scandalous but unconscious complicity with the forces that produced it.

But even at the current level of anthropological reflection, must we not ask what it means for the human condition when in the name of objective knowledge we refer to the infliction of hurt on others as a “social resource”, when we look to the pre-emptive strike as a means to solve our conflicts, or to the shedding of blood as a way to forge identities? When violence is rationalized as instrumental and thus is seen as socially “valuable”, its true identity is obscured, not to mention the implications for social ethics.

²⁸⁸ Bauman, *Modernity and the Holocaust*, 2-6.

What the social sciences are left with is the banality of violence in the hands of the perpetrators and sympathetic onlookers.²⁸⁹ From the literature it becomes obvious that anthropology offers no answer to the social problem of endemic violence. Riches' comment may be symptomatic for the whole. He offers little hope when he reminds us of the fragility of human control over the practice of violence and that the results from its deployment are "grossly unpredictable".²⁹⁰ Again on the question of solutions, Schröder & Schmidt remain silent altogether while Kloos observes that the outlook for conflict prevention is gloomy and that attempts to intervene early between groups with conflicting interests (where there is the potential of it turning into armed conflict) may "not be feasible, [and are] perhaps ... irrational".²⁹¹

One could argue that if the social sciences took Bauman's critique to heart, they might discover in this challenge an opportunity to transcend the limits of their own principles by reflecting on the society that produces them. As it is, the social sciences regard violence as incidental to society, something that needs to be "managed" while we are growing out of it (we just haven't figured out how, but we are getting there).

However, if – as Girard's hypothesis suggests – this assumption is invalid and violence is both foundational to and constitutive of the present order, then any sociological solution to the problem of violence (such as more human rights norms, more legal remedies, more education, more experiments with sociological structures) will be flawed.²⁹²

²⁸⁹ This is not the place to ask whether or not the social sciences unwittingly keep society from seeing its own violence. It may not be possible for them to offer a thoroughgoing critique of violence and culture from within the framework of their criteria and conceptual tools, a point which Girard has repeatedly emphasized in his critique.

²⁹⁰ Riches, *Phenomenon of Violence*, 9-10.

²⁹¹ Peter Kloos, "A Turning Point? From Civil Struggle to Civil War in Sri Lanka", in *Anthropology of Violence and Conflict*, ed. Bettina E. Schmidt and Ingo W. Schröder (London; New York: Routledge, 2001), 194.

²⁹² In the same vein, it is difficult to see how the proposal advanced by Krohn-Hansen that a violent discussion of legitimacy and illegitimacy by those who question the reality of society's social processes would solve the problem of violence (Christian Krohn-Hansen, "The Anthropology of Violent Interaction", *Journal of Anthropological Research* 50 [1994], 376).

With this we return to the anthropological question whether *Homo sapiens* is in reality also *Homo brutalis*. When ethologists speak of human violence in terms of aggression and of aggression as an instinct, they have a point as far as comparative zoology goes – animals do not show a desire for fighting.²⁹³ But the problematic of collective human violence goes deeper than that. None of the anthropological models are able to explain the mass murders in Nazi Germany, in Stalinist Russia, in Pol Pot's Cambodia nor all the other genocidal atrocities committed during the twentieth century and since the beginning of the twenty-first. Their origin cannot be attributed to a certain biologically conditioned aggressivity. Even a more encompassing notion that human aggression is the consequence of "historical selection pressures that fostered the evolution of aggressive behaviour",²⁹⁴ misses the point. Factors other than those in vogue with mainline anthropology must be summoned to account for intra-human violence of such incomprehensible proportionality and unimaginable scale.

According to Girard, neither scarcity nor so-called violent impulses lie at the core of human violence, but the highly developed mimetic structure of the human being. At the hub of the anthropological puzzle lies "undifferentiation", the chaos, the absence of order *within* the human being which mimesis evokes. In other words, the peculiarity that distinguishes us from the animals emerges in Girard's thought as our most fearsome burden: uncontrollable rivalry aroused by the presence of the "other", who appears as our mimetic double, the twin that mimics and claims our being. It constitutes, so to speak, the epicenter of our condition. When distinctions are obliterated, without which neither self nor culture can exist, our constitutional crisis is revealed. The shock waves register as an "impurity" that needs to be expelled at the expense of the other. And the only cultural mechanism we have to restore distinctions is scapegoating victimage or, with Girard, sacrificial violence as

²⁹³ Animals will get agitated when they are deprived of what they need (food, mate, nest), but not when they are deprived of an enemy (Wallace Craig, "Why Do Animals Fight?" in *Aggression, Hostility and Violence: Nature or Nurture?* ed. Terry Maple and Douglas W. Matheson [New York: Holt, Rinehart & Winston, 1973], 68).

²⁹⁴ Boelkins & Heiser, "Biological Bases for Aggression", 22.

the collective attempt of a community to “purify itself of its own disorder through the unanimous immolation of the victim.”²⁹⁵

Ontological Sickness at the Root of Human Violence

By uncovering this “ontological sickness” at the core of human violence and its resolution through sacrificial ritual, Girard has cut a hermeneutic key that opens unexpected windows on ourselves as humans and on what besets us as a species. If the intense, yet undifferentiated, desire for being at another’s presence unleashes conflictual rivalry and substitutional victimage among us, the common root of such ethnographically diverse phenomena as the Spanish bullfight, wife-beating practices among Amazon Indians, head-hunting, men’s cults, bizarre cinematography, cannibalism and genocidal massacres is unveiled. For Girard the first murder was certainly accidental and its discovery horrible. But this special “originary” moment, the foundational violence occurred only once. All later repetitions as ethnography describes them were subjected to countless mythic elaborations and ritualistic obfuscations.

Once this point is grasped, all forms of human violence take on a new meaning. They are desperate and quasi-religious attempts to rid ourselves of our own violence through the victim who reveals the truth about the human condition. Victims, not persecutors, emerge as the signifier of our metaphysical desire. They are a true representation of the way things are with us humans. In short, the phenomenon of violence remains unintelligible until one understands the fundamental mimetic make-up of human beings and the sacrificial mechanism it engenders.

In the next chapter, I shall elaborate on these conclusions by bringing a Girardian perspective to bear on certain human rights issues. If it can be shown that functionally speaking the human rights project cannot escape the generative mechanism that demands victims, new insights may be gained about causes for its failure to produce the desired effects.

²⁹⁵ Girard, *The Girard Reader*, 11. See also Robert Hamerton-Kelly, *The Gospel and the Sacred* (Minneapolis: Fortress Press, 1994), 1-14.

CHAPTER 4

HUMAN RIGHTS ISSUES IN GIRARDIAN PRESPECTIVE

INTRODUCTION

On the occasion of Girard's admission to the French Academy on 15 December 2005, philosopher Michel Serres, in his address to the distinguished assembly, paid tribute to the extraordinary intellectual depth of Girard's work. Speaking to Girard directly, Serres' oration eloquently expressed the historical relevance of Girard's achievement.²⁹⁶ The following excerpt shall set the tone for this chapter:

One day historians will come to you and ask you to explain the inexplicable: this formidable wave that submerged our Western world during the 20th century, whose violence sacrificed not only millions of young people during the first world war and then tens of millions during the second, in accord with the only definition of war that holds, and according to which bloodthirsty old men, on both sides of the border, agreed that the sons of the ones should really want to put to death the sons of the others in the course of a collective human sacrifice. Like the great priests of an infernal cult, these enraged fathers, whom history calls the heads of state, and who, in order to crown such abomination with a peak of atrocity sacrificed ... not only their children but ... also their ancestors ... the people to whom the West owes, in the figure of Abraham, the promise to end all human sacrifice.

Serres continued,

In the dreadful smoke exiting from the death camps, smoke that suffocated both of us at the same time in this atmosphere of the West you taught us to recognize what issues from the human sacrifices perpetrated by the polytheistic savagery of Antiquity. You taught us to recognize very precisely what it is that the Jewish message first, then later the Christian message, attempted desperately to deliver us from. These abominations largely surpass the capacities of historical explanation. In order to attempt to comprehend this incomprehensibility, one needs a tragic anthropology with the dimensions of yours. One day we will understand that this century broadened, to an inhuman and worldwide scale, your societal and individual model.

* * *

According to Girard, all institutions are based on sacrifice, and to be effective, the sacrificial mechanism must remain hidden. In this chapter I shall ask whether this

²⁹⁶ This is a slightly edited version of the one published in the COV&R Bulletin No. 28 (March 2006), 3.

assertion also applies to the human rights system. Others have written extensively about the importance of the human rights movement and celebrated its gains.²⁹⁷ Because this study calls for a more critical approach, I shall not attempt to add to the chorus; instead I shall subject certain human rights issues to a Girardian reading.

When we think of the human rights crisis, we usually ignore our own participation in it. Although we all know what it means to beat a rival at his own game, we are generally unaware of our natural propensity for imitation and its potential for rivalry. According to Girard, this generative principle operates unconsciously in each one of us and functions as the invisible hand in culture and society. It turns the spiral of the crisis through our scapegoating tendency that seeks the problem first in others. One reason that we remain largely ignorant of its presence is that it is also the force behind our striving for happiness, equality and recognition. In other words, mimetic desire and the rivalistic conflicts it generates lock us into an inescapable collective enterprise of never-ending reciprocal demands.²⁹⁸ This perspective renders the idea that a “social contract” is the mother institution of human society highly implausible.

The more we try to achieve happiness, equality and recognition, the more conflict-prone our efforts become – a paradox already known to de Tocqueville.²⁹⁹ Girard has noted how mimetic desire increases conflictual behaviour in formerly oppressed groups following their liberation. The closer they came to the realization of equality, the more they became sensitized to the slightest inequalities. This heightened awareness releases the passion of envy, which in turn increases their readiness to engage in conflict.³⁰⁰ Since our modern world is driven by competition

²⁹⁷ See Chapter 1, n. 12.

²⁹⁸ Girard, *Girard Reader*, 266-68.

²⁹⁹ De Tocqueville wrote: “The same equality that allows every citizen to conceive ... these lofty hopes renders all the citizens less able to realize them; it circumscribes their powers on every side, while it gives freer scope to their desires. Not only are they themselves powerless, but they are met at every step by immense obstacles, which they had not first perceived. [...] The desire of equality always becomes more insatiable in proportion as equality is more complete. Among democratic nations, men easily attain a certain equality of condition, but they can never attain as much as they desire” (Alexis de Tocqueville, *Democracy in America*, ed. P. Bradley [New York: Vintage Books, 1990], 137f).

³⁰⁰ Girard, *Deceit, Desire and the Novel*.

and unashamedly venerates envy as a means to success, the unleashing of this collective passion in the form of demand for more “material and positional goods”³⁰¹ intensifies the struggle and threatens society with a Hobbesian crisis.

Hobbes certainly understood the causal link between competition, envy and war-making. His answer to the threat of a war of all against all was the absolute state. While his solution may be unpalatable today, his analysis remains remarkably relevant for the contemporary crisis. It is also obvious that the modern nation state has not solved the mimetic problem Hobbes addressed. As Gebrewold has observed, the state has merely relocated it to the international scene where power is concentrated in the hands of a few who vie for more.³⁰²

At one level, this struggle is over the distribution of goods; at another it is a metaphysical struggle for recognition by individuals or groups with special interests as rights-bearers and legal subjects. Given our mimetic make-up, as recognition among people increases, not least due to the influence of the global human rights project, the probability also rises that all will desire what others value, be it livelihood, life-style, positional goods or human rights.

Since mimetic desire causes us to perceive the world as a system of limited supply, we regard rivalry as “natural” and are therefore unaware of the insidious dynamic of the double-bind with its potential for violence that drives our economic and political life including the acquisition of human rights.³⁰³ Palaver sums it up well when he writes, “We live in a world that promises happiness and recognition to everybody, but the more we try to reach these goals, the more we become obstacles

³⁰¹ Wolfgang Palaver, “Envy or Emulation: A Christian View of Economic Passion”, in *COV&R Conference*, 21-23 June 2003, Innsbruck University. See also Hans Magnus Enzensberger, *Civil Wars: from L.A. to Bosnia*, trans. P. Spence and M. Chalmers (New York: The New Press, 1994).

³⁰² Belachew Gebrewold, “Passion, Politics and State-Building: The African Case”, in *COV&R Conference*, 21-23 June 2003, Innsbruck University.

³⁰³ This is not to say that all competition is to be regarded as sinister. While *Wettbewerb* is desirable to hone those human capacities that create wealth and welfare, there is an undeniable dark side to competition. Its force does not hesitate to destroy the possibilities of economic, social, familial and physical existence. It occurs when *Wettbewerb* spirals into the vortex of mimetic violence where envy and competitiveness are no longer distinguished, where acquisitiveness becomes deadly and conflicts of interests are resolved at the expense of “sacrificable” victims.

to each other causing frustration and resentment leading easily to violence of all sorts”.³⁰⁴

From these brief comments it becomes clear that the concepts and vocabulary of mimetic anthropology permit a fresh look at the human rights project, its global claims and limitless promises. In the following I shall pursue the question whether the human rights system is capable of transcending the synergy of acquisitive desire which we have identified with Girard as the principle cause of human violence. I begin the investigation with the text of the UDHR.

THE TEXT OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

For Nobel Prize Laureate Nadine Gordimer, the UDHR is the “essential document, the touchstone, the creed of humanity that surely sums up all other creeds directing human behaviour”.³⁰⁵ Elie Wiesel has called it the sacred text of a “world-wide secular religion”.³⁰⁶ Eleanor Roosevelt hailed it as the “international Magna Carta of mankind”.³⁰⁷ Michael Ignatieff refers to its language as the “lingua franca of global moral thought”, but warns that it would undermine the purpose of human rights if it were turned into a creed or secular religion.³⁰⁸

This rhetoric highlights the extraordinary esteem in which the UDHR is held. To view this text, unique as it is in the history of ideas, through the lens of mimetic theory rather than through familiar interpretive habits may well be deemed an act of sacrilege. But since we are faced with the continuing possibility that even this

³⁰⁴ Palaver, “Envy or Emulation”, 10.

³⁰⁵ Nadine Gordimer, “Reflections by Nobel Laureates”, in *The Universal Declaration of Human Rights: Fifty Years and Beyond*, ed. Y. Danieli et al. (Amityville, NY: Baywood, 1999), vii.

³⁰⁶ Elie Wiesel, “A Tribute to Human Rights”, in *The Universal Declaration of Human Rights: Fifty Years and Beyond*, ed. Y. Danieli et al. (Amityville, NY: Baywood, 1999), 3.

³⁰⁷ Geoffrey Robertson, *Crimes against Humanity: the Struggle for Global Justice* (London: Allen Lane, 1999), 30.

³⁰⁸ Michael Ignatieff, *Human Rights as Politics and Idolatry*, 53.

venerated text³⁰⁹ may be misused in an ever more subtle process of self-deception and violence (e.g. the achievement of human rights at the expense of others), new ways must be tried.

It is the quasi-sacred status of the UDHR that arouses suspicion. Given the inability of victimizers to acknowledge that victimization is actually taking place (let alone that they are participants in it), there is perhaps no more probing question one can ask of the UDHR than whether it is a text of persecution in disguise. One might object that, since this document above all others is written from the victim's point of view, how then can it be a text of persecution? But what if the polished surface of Enlightenment rationality hides a hollow moral core? What if the structuring principle behind the text uncannily conceals under words of peace, justice and brotherhood the deep inner divisions of the world? What if the nations presented a façade of superficial unanimity to hide their fear-driven reciprocal hostility? Does not the very existence of the text testify to a profoundly disrupted relationality?

In order to sharpen further the Girardian angle of my argument, let me ask in another way: was the UDHR created *for* human rights or was it merely a reaction *against* the tyranny and racist ideology of Nazism? Was it a collective act of a self-righteous expulsion of evil that made an examination of the nations' own violence unnecessary? Conversely, if the text of the UDHR is indeed the measuring rod for post-war decency among the nations, should one not expect to find such espousals reflected in their dealings with each other and with their people? If not, would it not lend support to the thesis that behind this "quasi-sacred" text lurks the ancient scapegoat mechanism merely posing as "an angel of light"?

The Text in Context

Since we treat the text of the UDHR as a Magna Carta of sorts, we have become accustomed to read it in a certain way and we easily overlook that it has become a text severed from its past, even from its origin. Certainly, the crisis that had engulfed the world in the 1940s still lingered during the drafting process. The post-war years

³⁰⁹ It has been translated into three hundred languages and found its way into over ninety national constitutions.

were an extremely fluid and complex period. The nations wanted peace, yet they also struggled vociferously for self-identity. They longed for a new world order but could not escape the old. The Western nations asserted ownership of the Enlightenment legacy emphasizing Euro-American individualism, while the Soviet Union was committed to a most dehumanizing form of oppressive state socialism. The bitter battles that ensued over ideology and hegemony were fought on many fronts, which makes it on the one hand all the more remarkable that a document such as the UDHR should have emerged at all. On the other hand, however, we see the strange mix of similarity and difference that characterizes the gargantuan struggle of mimetic doubles whereby each one is model as well as obstacle at one and the same time, demonizing each other in the process. While the UDHR projects a world order built on the principle of inclusion and the transcendence of boundaries (e.g. the spirit of brotherhood), the superpowers hardened their differences along ideological lines setting in motion a world-wide double bind: imitate me, but don't desire the object of my desire.

If the nations had entertained hopes that a new world order would follow the adoption of the UDHR,³¹⁰ the prospects for this were abruptly shattered by the Korean War (1950-53) in which over one million people died and unspeakable atrocities were committed by both sides. Carpet bombing of civilian targets (against the Geneva Convention) by the US Air Force took almost the same tonnage as was used in World War II. At the same time, Stalin's reign of terror oppressed the people of the USSR and Eastern Europe until his death in 1953, only to be continued by his successors.³¹¹ The nuclear arms race was keeping the world on a knife edge since 1949 and, even as the U.N. General Assembly met in Paris to adopt the UDHR, the Berlin airlift had begun in response to Stalin's threat to starve the city's two million inhabitants. The flagship instruments of human rights, the UDHR and the Genocide Convention, proved utterly powerless in changing international attitudes towards

³¹⁰ It is important to note that within a few months of the adoption of the UDHR the nations also adopted the four Geneva Conventions that required civilized treatment of civilians, prisoners, the wounded and other victims of war.

³¹¹ Aleksandr I. Solzhenitsyn, *The Gulag Archipelago 1918-1956: An Experiment in Literary Investigation* (New York: Harper & Row, 1974-75); also Zbigniew Brzezinski, *Out of Control: Global Turmoil on the Eve of the Twenty-First Century* (New York: Charles Scribner's Sons, 1993).

genocide or any other form of gross human rights violations, either at that time or during the ensuing fifty years.

One could go on recounting the sorry story of the nations' disregard of their self-avowed human rights norms – from Stalin's show trials to massive racial discrimination in the USA; from the torture and disappearance of thousands at the hand of US-backed dictatorships in South America to the violent repression of dissidents under apartheid in South Africa; from the cultural revolution in China that killed over a million people to the Berlin wall where Germans shot Germans who exercised their right of mobility; from Hungary to Prague; from the bombing of Vietnam with Agent Orange and Napalm to Pol Pot's killing fields in Cambodia; from Pinochet's regime of terror in Chile to the massacres of Rwanda, Kosovo, Sierra Leone, Iraq, Somalia and Sudan. To this we must add the permanent failure of the Human Rights Commission. Geoffrey Robertson comments, "Most of the states that belong to the Human Rights Commission have no wish to create precedents for investigation or enforcement procedures which might next be used against an ally, or against themselves".³¹²

It is also instructive to recall that the text as it stands is a composite both as a text and as an historical account. The latter presupposes the unresolved conflicts as well as the diplomatic solutions the nations have attempted in solving them. But according to Robertson, diplomacy has always been the enemy of justice,³¹³ being inclined to let victimage remain arbitrary. Girard calls this scheme the "wisdom of Caiaphas" where it is always "expedient for one man to die for the people".³¹⁴ Its surrogate peace at the expense of others is always only temporary and masks the underlying victimage mechanism.

³¹² Robertson, *Crimes against Humanity*, 40. According to U.N. procedures, the UNHRC meets only once each year for a few weeks and refuses to be critical of states or those in power. Block-voting ensures that the political gamesmanship and whitewash continues even when flagrant violations by member states are open knowledge.

³¹³ As brokers of trade-offs, Robertson writes, diplomats "always allow oppressors to escape punishment" [*ibid.*, xvii].

³¹⁴ John 18:14.

Flawed Justice, Deceit and Desire

But why should all this surprise? Was this conduct not already inherent in the so-called “Nürnberg legacy” on which international human rights law enforcement is based? At the Nürnberg trials, the Allies prosecuted Nazi war criminals who were guilty of crimes against humanity. By doing so, they hoped to put agents of states on notice that those responsible for torture, genocide and other crimes against their own populations might be punished by an international tribunal.³¹⁵ But this precedence-setting legacy was itself deeply flawed by the hypocrisy of the victors. Stalin’s regime of terror had committed and continued to commit crimes against humanity on a scale well exceeding that of Nazi Germany.³¹⁶ Certainly, in Nürnberg the punishment fell on the guilty, but we easily overlook that this precedent in international law enforcement owed its force to a massive outpouring of violence that gave the Allies exclusive access to the means of justice. But whose justice? The real moral outrage is that neither Stalin nor any of his torturers and executioners were ever indicted or brought to trial. The veiled message to the international community was this: military might trumps morality. Thus the emphatic reference to the “outraged conscience of mankind” engraved with such pathos into the text of the UDHR³¹⁷ reflected the scapegoating hypocrisy of the nations. With self-righteous rhetoric and under the cloak of justice they covered over the reality that the new order was not going to be so new after all, as the principles of power politics and with them the inevitable victimization of the weak and unwanted would simply remain in force.

This fact became quite evident during the drafting process. Political and ideological conflicts were still smoldered under the surface,³¹⁸ and even the structure

³¹⁵ One important result of the Nürnberg trials was that from a legal point of view they established for the first time the principle that individuals had standing in international law (Robertson, *Crimes against Humanity*, xiv).

³¹⁶ Brzezinski has estimated that Hitler caused approx. 15 million deaths, Stalin 20-25 million. (Brzezinski, *Out of Control*, 10-11).

³¹⁷ Appendix 1, second Recital.

³¹⁸ The force of that reality comes home when we consider that during the first half of the 20th century alone such conflicts had been responsible for the deliberate killing of 80 million people, not in actual combat, but for ideological and religious reasons. From 1915-1945 Europe, the cradle of Western civilization, experienced “sustained destruction and massive killings”, and so did China and Japan. None of this was anticipated at the start of the century. How is such profound moral blindness and

of the document was shaped by these antagonisms.³¹⁹ The drafters were certainly aware that human rights could be realized only in an environment of genuine international cooperation and trust. Yet the intense power struggles that flared up at almost every turn³²⁰ rendered such an assumption absurd if not deceptive. O’Rawe sums it up well when she writes:

The final Universal Declaration is deceiving, not least because it evinces an apparent consensus on the position of human rights and peace-building in a new world order which clearly did not exist. Instead, this consensus thinly papered over a substantial lack of agreement and merely postponed, until after the adoption of the text, the settlement of all the problems, nuances and concerns that the Universal Declaration was intended to overcome.³²¹

Behind this self-deception lurked a common anxiety – the fear of intervention with state sovereignty. This fear gave rise to the defensive and moralizing posture with which the nations conducted the whole human rights business in the fora of the United Nations. It corrupted the relationships among the players including the nature of the UDHR itself; instead of a code of conduct the nations forged an instrument of accusation and scapegoating. In the ensuing war of blame, victims would become their new weapons.

Angst over Sovereignty and the Misuse of the UDHR

Since the same conflicts are with us today, it is quite obvious that the self-regulation of the states has failed to bring about order and peace. From a Girardian perspective, the global crisis is a crisis of reciprocity rooted in existential anxiety that spawned *eine Politik der Angst*. The nations’ conflictual desires keep converging on the one object whose loss they fear most: their sovereignty. It brings into play the scapegoat

political insanity to be explained? Brzezinski hints at the emergence of meta-myth, a form of transcendental fiction that blends “the religious impulse to seek salvation ... [with] nationalistic self-identification and utopian social doctrines reduced to the level of populist slogans” (Brzezinski, *Out of Control*, 19).

³¹⁹ Note the prioritization of civil and political rights over economic and cultural rights in the UDHR.

³²⁰ This became particularly obvious during the debate over the priority of economic rights *versus* civil rights.

³²¹ Mary O’Rawe, “The United Nations: Structure versus Substance”, in *Human Rights: An Agenda for the 21st Century*, ed. Angela Hegarty and Siobhan Leonard (London; Sydney: Cavendish Publishing Company Ltd., 1999), 24.

mechanism with its characteristic manifestations of deceit and the exclusion, even the death of disposable victims. Because these “sacrifices” fail to purge the nations of their violence and do not deliver the desired unanimity, we are faced with what Girard has called a “sacrificial crisis”, to which the human rights agenda has added conflicts of its own over the scope of the rights themselves.³²²

In their ideological and geopolitical confrontations, the nations have continued to pay lip service to the UDHR, misusing what was to be the measure of their conduct as a cover for their own culpability and complicity with violence.³²³ In the process, human rights language has become a language of power and instead of fostering a “spirit of brotherhood”, it has become a metaphor of exclusion and victimization, i.e. an instrument of the scapegoat mechanism itself.

What is being celebrated as humanity’s heightened rationality fails to provide immunity against the mimetic impulse. Instead it deceives us about our innate propensity to locate the problem first in others. Without a common enemy or “sacrificial victim”, humans left to their own devices simply do not reach unanimity or function in a “spirit of brotherhood” as the UDHR declares. This tragic fact also

³²² Peter Cumper writes, “Regrettably ... the unanimity between states in the area of human rights clearly ends when one seeks to define, clarify and prioritize specific human rights. There is even little agreement over the scope of what constitutes perhaps the most basic of all, the right to life”. This is despite the fact that this right is guaranteed in a number of international human rights instruments, the UDHR in §3; the *International Covenant on Civil and Political Rights* (ICCPR) in §6; the *American Convention on Human Rights* (American CHR) in §4; the *African Convention of Human Rights* (African CHR) in §4. One of the most heated conflicts in the Western world rages over the question where life begins and who has the right to take it lawfully (see Cumper, “History, Development and Classification”, 1-11).

³²³ The case of indigenous peoples may serve as a fitting illustration. Given their original exclusion and the slow-moving ritualistic U.N. bureaucracy, one could argue with Girard that their status is that of sacrificial victims ‘slain’ at the foundation of the human rights agenda and whose cries are still being muffled by the labyrinthine procedures of the very system that was established to work on their behalf. The litany of their grievances lodged with the U.N. for over twenty years still sounds as at first, as a review of Work Group reports shows. What stands out as particularly dismaying is the abstract bureaucratic language in which the suffering of untold numbers of the poorest people is being cast. The following is a typical extract: “The Working Group noted the comments provided by indigenous participants relating to the impact of globalization on their livelihoods, economically self sufficient ways of life, cultures and political organizations, and the lands and resources. It also noted the concerns expressed about forced displacement of indigenous peoples due to natural resource extraction and other developments on their land, and the unjust relations prevailing between indigenous communities and large corporations implementing projects on their territories...” (United Nations, Economic and Social Council, Prevention of Discrimination and Protection of Indigenous Peoples, Report of the Working Group on Indigenous Populations on its 21st Session, 11 August 2003, item 101).

explains why the pagan ethos of the scapegoat still rules in international (and domestic) politics.³²⁴

In the next section the focus shifts from the text of the UDHR to the interactions between players and constituents of the human rights arena.

TRAFFICKING IN TRAUMA: THE HUMAN RIGHTS MARKET

Many networks and exchanges mobilize, organize and influence the human rights movement. Baxi has argued that to disregard these dynamics would mean to ignore an important reality. He characterizes them in terms of organizational behaviour and as such as a “human rights market”, defined as a “network of transactions that serves the contingent and long-term interests of human rights investors, producers and consumers”.³²⁵

Baxi notes that this market has at all levels become so capital-intensive that the protection and promotion of human rights now requires the mobilization of vast resource inputs including funding from government and private sources. A market-driven mobilization of capital, however, calls for a business-oriented approach to human rights promotion and protection. It requires management, consumer loyalty, public relations, careful product and portfolio packaging, and the monitoring and influencing of market dynamics.³²⁶

This global reality, however, modifies the conduct as well as the responses of governments and human rights activists as they relate to each other. It influences the very nature of human rights as the violators and the advocates of the victims negotiate tolerable outcomes in order to maintain “the integrity of the network”. The

³²⁴ This is reflected in the reprehensible duplicity on the part of the nations in their dealings with each other and with their constituents, a judgment we must come to if we take the words of the UDHR seriously.

³²⁵ Upendra Baxi, “Voices of Suffering, Fragmented Universality, and the Future of Human Rights,” in *The Future of International Human Rights*, ed. Burns H. Weston and Stephen P. Marks (Ardsley, New York: Transnational Publishers, 1999), 101-56; 144.

³²⁶ Baxi, “Voices of Suffering”, 145.

market also dictates that the “raw material” for human rights products is “provided” by the victims of human rights abuses. In other words, human suffering becomes a commodity that is sold for what the market will bear. According to Baxi, a new, more market-friendly paradigm of human rights is emerging that is no longer primarily concerned with the well-being of the individual victim of abuses, but with the investment performance of human rights commodities.³²⁷

Since gruesomeness attracts (in Girard’s language it is the fascinating appearance of the “sacred”), in an effort to combat human suffering its images must be constantly repackaged for mass media consumption. The headline potential of human suffering exists, according to Baxi, because only in this form can it momentarily scandalize human sensibilities. The many players in this arena must keep constantly alert for how best to keep this market supplied with instant news. In short, a global human rights culture has emerged which is sustained by a competitive diffusion of horror stories.³²⁸

I am not offering a judgment on the ethics of “selling” suffering, but simply seeking to highlight that the interplay of conflicting interests and advances in human rights are tied to certain producer/consumer behaviors which, if seen through Girard’s filter, must be called mimetic. Baxi speaks almost Girardian language, when he observes that the success and failure of NGOs depend on their ability to move the conscience of the players and the bystanders through “techniques of scandalization”.³²⁹ In other words, the task of mediating the “desirability” of human rights under competitive conditions requires more and more resources, especially news about their violation.

But, like the nations they scrutinize, NGOs experience existential anxiety and seek to guard their own “sovereignty”. They too are defensive of their turf. That they

³²⁷ Baxi, “Voices of Suffering”, 146 ff. It is interesting to note that Amnesty International started out as a group of loosely affiliated volunteers who “adopted” individual prisoners of conscience in the 1960s. Since then they have left this grass-roots work largely behind and transformed themselves into a global advocacy organization with a staff of over one thousand who participate at the highest diplomatic level in all fora of the U.N. bureaucracy. Today, AI is the superpower among the NGOs with an annual budget in excess of \$500 million. That its Chief Executive bears the title “Secretary-General” looks more like an imitation of its UN counterpart than like a coincidence.

³²⁸ *Ibid.*, 147.

³²⁹ *Ibid.*, 149.

are engaged in fierce competition with each other is no secret.³³⁰ NGOs are engaged not only in competition with other NGOs but with state players claiming representative status alongside elected governments. This blurring of distinctions is typical of the mimetic process. In this case, the desirable object, which NGOs covet and the desirability of which governments constantly mediate, is policy-setting power and representative legitimacy – precisely those elements of recognition NGOs lack.

The mimetic dynamism involved has several implications for NGOs and for the inability of human rights to transcend conflicted mimetic desire. Individual representatives on the staff of NGOs, while they sensitize those with whom they confer – bureaucrats, diplomats and politicians – to the need for human rights, will also increasingly emulate their behaviour, while NGOs as organizations will tend to act more like businesses competing for market share. The human rights market now exists as a constituent element of the global system of human rights in which politics have become commerce and vice versa. Under such conditions, truth and objectivity will suffer, while NGOs are set to depend for their ongoing existence on a continuation of human rights problems. The more the NGOs serve the “good cause”, the more they will unwittingly perpetuate violations. When examined through the Girardian lens, the unpalatable reality emerges that the victimage mechanism trades in this market with the symbolic capital of human rights and in the tangible commodity of human trauma. It thus lends its own particular shape to the current crisis where violators, the violated and their advocates are locked into a co-dependent cultural system that is unable to heal itself.

In the next section, I shall review the effects of globalization on the human rights crisis from a Girardian perspective providing further evidence that the human rights paradigm does not offer immunity against the mimetic impulse.

³³⁰ Ignatieff, *Human Rights as Politics and Idolatry*, 8.

GLOBALIZATION, ENVY AND ÉLITES

That globalization poses significant challenges for the human rights regime is undisputed. Scholars have argued that these forces perpetuate and even increase poverty, estrangement and violence.³³¹ Evans notes that there is case after case where multi-national corporations are exploiting workers including hundreds of thousands of children in Asia, India and South America in low-paid jobs and where Third World governments, signatories to the international human rights conventions, follow the principles of self-advantage inherent in the *laissez-faire* market economy and ignore their obligations. If their own people protest against the denial of human rights, they take punitive actions against them.³³²

At the same time, the fundamental ideas of the UDHR and the politics of and for human rights have under the influence of globalization, taken on a transnational character. Many networks and transactions of a quasi-political nature have come into existence that constitute and influence the global system of human rights, just as human rights have become a global ideology.³³³

Because we live in a shrinking world, global awareness rises constantly along with a growing immediacy and concurrency of events around the globe. This multi-layered interconnectedness which transcends national boundaries also intensifies the mediation of desirability across a wide range of goods, both material and positional. This feature, a function of mimesis, also unleashes as already noted such passions as resentment and envy. It explains the paradox that human rights abuses have increased

³³¹ Jan Art Scholte, "Towards a Critical Theory of Globalization", in *Globalization in Theory and Practice*, ed. Eleanor Kofman and Gillian Youngs (London: Printer, 1996), 51.

³³² Evans, *The Politics of Human Rights*, 72-75.

³³³ Foreign exchange markets move daily over \$1 trillion, well in excess of fifty times the size of world trade. Multi-national corporations account for thirty percent of world output, seventy percent of world trade and eighty percent of international investment. Already ten years ago, the top one hundred multi-nationals controlled sales that almost equaled the size of the US economy. World trade has doubled since 1950 and the majority of nations have become dependent on it for economic survival. Hundred years ago it took days, even weeks to send a message to India by telegraph; today it takes minutes by e-mail (McGrew, "Human Rights in a Global Age", 189-90).

– contrary to expectations – in the face of growing democratization which spreads the idea of rights.³³⁴

While McGrew explains this development in part as a function of rising nationalism and the politics of ethnic recognition, such expedient terminology does not do justice to the deeper causes. These are brought to light when the problem is re-interpreted through Girardian categories. In this event one might perceive an underlying political Manichaeism that divides the world into “good and evil” and insinuates a power struggle between these forces whereby one must overthrow the other, leading to political self-righteousness which legitimizes the use of violence against the “evil people” on the other side.

In other words, the categories of mimetic desire, the “monstrous double” and of the scapegoat explain more fully than the abstract notions of nationalism and ethnicity the phenomenon of people turning into lynch mobs under the influence of nationalistic or ethnic propaganda. In short, globalization does not necessarily lead to greater emancipation, freedom and prosperity but, more likely, to greater inequality and repression. We recall Evans’ assessment that free trade trumps moral and humanitarian issues every time. At the core of this issue we encounter another manifestation of acquisitive mimetism – the élites.

Under conditions of market competition, states concede civil and political rights only to the degree that their satisfaction promotes rapid economic development. This strategy favors the élites who play by the rules of global capital. These are highly educated groups in charge of the modern politico-economic system. They mobilize the international money flow, make decisions about policy and capital investment, and know how to compete for power and economic rewards. In democratic society they act as representatives of the majority, and without the formation and function of élites the modern state is unthinkable, as Gebrewold

³³⁴ According to Papadopoulos, following Merkel (1999), between 1974 and 1996 no less than 89 states or about half of U.N. members shifted from authoritarian to democratic regimes in what has been called the Third Wave of democratization (Yannis Papadopoulos, “Populism, the Democratic Question, and Contemporary Governance,” in *Democracies and the Populist Challenge*, ed. Yves Mény and Yves Surel [Houndmills, Basingstoke UK: New York: Palgrave, 2002], 58).

notes.³³⁵ Their members are socially superior to the rest of the population and, even when they belong to poor nations, their lifestyle is always commensurate with their élite status.³³⁶

In the context of human rights, political élites play generally a subversive role. For instance, in developing countries élites rail against neo-colonialism and advocate the protection of traditional cultures, yet by their lifestyle they model which of the two is more desirable. Élites negotiate with such institutions as the International Monetary Fund and the World Bank and also profit from their programs, while the poor and uneducated suffer the consequences.³³⁷ These élites become instruments of arbitrary victimization when world financial institutions withdraw aid funds from poor nations as a sanction against falling human rights standards.³³⁸

From studies of African nations, the Rwandan case in particular, Gebrewold writes about elites, "... they are the ones who persecute their own people in the name of state building, national unity and economic development". In Rwanda, their hate propaganda along with a deliberate manipulation of political power for the sake of economic gain was instrumental in unleashing the genocide. By demonizing the Tutsis as the obstacle to a better future for the poor masses of the Hutus, they triggered a bloodbath. Any underlying racial prejudice erupted apparently out of an insurmountable economic crisis into which the elites planted hate messages through the media and publicly named the scapegoats. Gebrewold writes:

The propaganda [to kill the Tutsi] included explicit and a regular incitation to mass murder, verbal attacks on Tutsi, the publication of lists of names of 'interior enemies' to be killed, and threats to anyone having relations with Tutsi. Thus genocide and extremist voices were not only tolerated, but also morally and

³³⁵ Belachew Gebrewold, "Passion, Politics and State-Building, the African Case", in *COV&R Conference*, 21-23 June 2003, Innsbruck University.

³³⁶ *Ibid.*

³³⁷ Gebrewold, *op. cit.*

³³⁸ See Kamal Hossain *et al.*, ed. *Human Rights Commissions and Ombudsman Offices: National Experiences throughout the World* (Hague London: Kluwer Law International, 2000), 773.

financially supported by people at the highest levels of the establishment including the government.³³⁹

But the dangers of elitism are by no means limited to Third World countries. Gebrewold is concerned that growing globalization combined with élite-guided systems in the modern mega-states will also reduce human passions into the passion for war, greed and envy unless they can be channeled into more legitimate political outlets. Yet, it is these destructive passions which the élites tend to model in society. Hence, elitism is likely to heighten the danger of mimetic conflict and violence, a constellation that will leave national and international conflicts increasingly unresolved, even irresolvable.³⁴⁰ Should such crises deepen, élites are likely to behave like warring tribes. Van Creveld's warning that future conflicts "will have more in common with the struggle of primitive tribes than with large scale conventional war" echoes the thrust of this possibility.³⁴¹

These examples offer additional strength to my position that from a Girardian point of view the increase in human rights violations under globalization is attributable to the operation of the sacrificial mechanism in modern form leading potentially to a snowballing of mimetic violence which the human rights system is incapable of restraining.

Here we note the added dynamism brought to bear by human rights professionals on the already mimetically charged process. They themselves constitute a new, supra-national élite comprised of highly educated, politically astute and media-savvy individuals who are able to mobilize considerable public pressure. Their work too may be characterized as "exclusionary" in that it seeks to shame state authorities into compliance with human rights standards. Moreover, their interaction with counterparts at state and U.N. level exerts an influence that tends to diminish differences (the goal of mimesis) which will, in order to restore differentiation, also generate its own antagonism and resistance to NGO activity.

³³⁹ Gebrewold, *op. cit.*

³⁴⁰ *Ibid.*

³⁴¹ Cited in Robert D. Kaplan, *The Coming Anarchy: Shattering the Dreams of the Post Cold War* (New York: Vintage Books, 2000), 48.

The inability of the human rights system to change the structural fixities inherent in the mimetic nature of desire will be further amplified in a brief Girardian excursus into international terrorism, followed by an examination of the indeterminacy of the law in relation to the violence that legitimates its “deeds”.

TERRORISM: ICON OF RESENTMENT

The world will face continued growth in terrorist attacks in the next decade, and large-scale incidents involving hundreds of deaths will become more common, wrote Brian Jenkins, former advisor to the US National Commission on Terrorism almost twenty years ago.³⁴² Since then, his prediction has become an ugly reality.

Terrorism, one of the complex and contradictory phenomena at work in the contemporary world, defies one-dimensional explanations. That its arbitrary violence causes unspeakable suffering and catastrophic human rights violations needs no elaboration. What requires foregrounding, however, is the question how mimetic theory may be applied to this aspect of the human rights crisis.

While, compared with Western culture, terrorism is tied to a different world from ours, it would be fallacious to seek the explanation in this difference.³⁴³ From the perspective of secularized culture, one of the differences is the terrorists’ openly confessed religious motivation and the claim that their violence is “sacred” and thus beyond human judgment and reason.

Hence, terrorists are easily written off as religious fanatics. Others see in it, like Glucksmann, the nihilism of an anti-Liberal, anti-Western and anti-capitalist revolution that engulfs the planet. In his view, the same nihilism that once fed the fanaticism of Nazism and Communism now feeds Islamism which he labels the

³⁴² Brian Michael Jenkins, “The Future Course of International Terrorism”, *The Futurist*, July/August 1987.

³⁴³ Although we may unconsciously use what seems to be “extraordinary otherness” as a pretext for not admitting what we have in common.

“local dialect of a globalized, destructive state of mind” whose logic absolutizes terror and reveres the desire for annihilation.³⁴⁴

But if, as I have attempted to show with Girard, human relations are essentially relations of imitation, whereby mimesis seeks to possess what others have, violently if need be, and if this competitive element exists not only between persons but also between countries and cultures, then a different picture emerges. The present crisis takes the “form of mimetic rivalry on a planetary scale,” where a frustrated and victimized third world rallies under the banner of Islam in mimetic rivalry with the West. Paradoxically, in terms of effectiveness, sophistication, and training the terrorists, far from being members of the victimized underclass, are a product of Western educational and technological opportunities.³⁴⁵ In other words, terrorists are not turning away from the West. More to the point, they cannot avoid imitating its values. It is no coincidence that the attack on the twin towers in Manhattan resembled the imagery of American disaster films.

What defies explanation is their attitude to death. Young men go to their death not only to annihilate others, but *in order to be copied*. While they may model a form of saintliness, at least in terms of sacrificial religion, it is a model that in its nihilism remains incomprehensible, and Girard questions whether this is truly Islam. In any case, it differs fundamentally from Christian martyrdom.

It raises the question why the call to *jihad* resonates so powerfully with the longings of relatively well-off and educated young men in middle-class suburbs of the Middle East as well as of Western cities.

The concept of *jihad* as “holy war” arises from controversial interpretations of a religious doctrine which at root means “striving for a better life.” It also involves such notions as effort, exertion, strain, diligence, but also fighting to protect one’s life, land and religion. Muslim mystics have emphasized “inner jihad” rather than outward fighting. At the same time, the Muslim is exhorted to strive for justice by

³⁴⁴ Watch, “Interview with André Glucksmann”, *Le Figaro* (March 21 2004, accessed 13 September 2004); available from http://watch.windsofchange.net/2004/04_0315_0321.htm

³⁴⁵ Henri Tincq (*Le Monde*), “An Interview with René Girard” (6 November 2001, accessed 13 September 2004); available from http://theol.uibk.ac.at/girard_le_monde_interview.html

action. Sohail Hashami notes three interpretations: the apologist, the modernist and the revivalist approach. The revivalist argues that both apologists and modernists have vitiated the true meaning of jihad which should be understood as the “overthrow of un-Islamic regimes that corrupt their societies and divert people from service to God”. For revivalists, “un-Islamic regimes” include those that rule in Muslim countries today. Replacing “hypocritical leaders” with true Muslims is their goal.³⁴⁶

Jihad is perceived as a “divine institution” for the preservation and propagation of the “true faith” that justifies “sacred violence”, at least in the minds of some. Youssef Ibrahim, former Middle East correspondent of the New York Times, wrote recently in an opinion piece in the *Middle East Times*:

The latest reliable report confirms that on average 33 Iraqis die every day, executed by Iraqis and foreign jihadis and suicide bombers, not by US or British soldiers. In fact, fewer than ever US or British soldiers are dying since the invasion more than two years ago. Instead, we now watch on television hundreds of innocent Iraqis lying without limbs, bleeding in the street dead or wounded for life. If this is jihad someone got his religious education completely upside down.³⁴⁷

Comparing the religious practices of terrorists with modern Satanists, Dawn Perlmutter has noted some striking parallels, which are “compelling and numerous.” Their use of violence, regardless of whether it is for personal gratification or for the establishment of a better world, is characterized by one principle: the end justifies the means. Her investigation showed that *rivalries* in both Satanism and terrorism are “relative concepts determined by theological, moral, political, and legal perspectives of each group intertwined with issues of religious and political freedom”. Both groups also deploy as *models* certain cultural conceptualizations as they arise from “antithetical ideologies”, while their *sacred violence* always seems to be justified, no matter how “heinous, irrational, or inexplicable”. From the view point of the practitioners of such violence, it is never regarded as “violation”. According to

³⁴⁶ Sohail H. Hashami, “Jihad”, in *Encyclopaedia of Politics and Religion*, ed. Robert Wuthnow (Washington D.C.: Congressional Quarterly Inc., 1998), 425-26. See also Dawn Perlmutter, “Skandalon 2001: The Religious Practices of Modern Satanists and Terrorists”, *Anthropoetics* 7, no. 2 (Winter 2002, accessed 18 March 2003); available from <http://www.anthropoetics.ucla.edu/ap0702/skandalon.htm>

³⁴⁷ Youssef M. Ibrahim, “Opinion: The Muslim Mind is on Fire”, *Middle East Times* (Nicosia, Cyprus), 26 July 2005, International Edition.

Perlmutter, both groups make absolutist demands and function in a context of perpetual conflict with other ideologies that may be equally absolutist, be they Jewish, Islamist or Christian.³⁴⁸ In short, it is the outworking of mimetic rivalry.

In his interpretation of this phenomenon McKenna offers another nuance, which he calls “symbiotic dependence”. Terrorists resemble the Western campus radical in their anti-nuclear, anti-establishment stance: these also depend on real or imagined victimization as a basis for their “sacred identity”. The terrorist needs the rival image of the oppressor to authenticate his “victimary theology”.³⁴⁹ It is the attempt to forge an identity out of resentment, out of an “over and against” hostility that guards the self from falling into the abyss of failed rivalry. The terrorist is both attracted and repelled by the West. Scandalized by its power and decadence, he is caught in the model/obstacle dynamic of the mimetic double. The terrorist represents the icon of resentful humanity, the man of vengeance par excellence, who unconsciously yet nonetheless deceptively projects his violence as redemptive violence, which he believes is able to transform the world.

Paradoxically, this vengefulness is aimed at life, notes McKenna – not at life *per se*, but at the inability to find real life in the multiplicity of choices in a world where an abundance of commodities is marketed as objects of desire but identity must – at the same time – be found only in the other. This is how McKenna sums it up:

Islamism stands out ... as a scandalized reaction to Western culture in its manifold idolatries ... But we need Girard’s notion of scandal to grasp the mimetic dimension of this reaction, its literally morbid fascination with its antagonist.³⁵⁰

We can conclude that terrorists are captive to the mimesis of competitive rivalry to whose violence there is no rational solution. Since this kind of violence is highly contagious and may spin out of control when it provokes violent retaliation, important questions arise about the response. Is there a point when the reaction

³⁴⁸ Perlmutter, “Skandalon 2001”.

³⁴⁹ Andrew J. McKenna, “Scandal, Resentment, Idolatry: The Underground Psychology of Terrorism”, *Anthropoetics* 8, no. 1 (Spring 2002, accessed 19 March 2004); available from <http://www.anthropoetics.ucla.edu/ap0801/resent.htm>

³⁵⁰ *Ibid.*

becomes so forceful that it emulates the terrorists' use of violence? In that scenario, when is the price in terms of innocent victims too high?

For now, the international community considers the use of force by state actors more legitimate than that of non-state actors, simply because its use by state actors is supposedly better regulated by international norms. In the light of the nations' readiness to break them at will, this assumption is not much comfort and possibly a case of special pleading. In any case, from the foregoing it would appear that international law makes little difference to those caught in the thrall of the mimetic crisis and its contagion. It raises the question of how "deeds of the law" are related to the crisis and it is to this issue that the argument now turns.

THE FATEFUL ROLE OF THE LAW

In a fitting sequel to the foregoing, I shall examine here the relations between legal remedy and violence, hoping to show from yet another angle that the human rights project itself is a self-justifying structure that cannot transcend mimetic desire. To put the argument into context, the question is whether by resorting to law in the combat against human violence we are not wielding a double-edged sword which, while potentially cutting against the perpetrators, also legitimizes violence in other ways, thereby perpetuating violence in history.

When we think of law and the rule of law, we assume, naïvely perhaps, that its operation and effects will be beneficial in society in that people will be able to live together in a community of relative peace where disputes are capable of being settled on the basis of appropriate rules of conduct. However, this assumption is contingent on two other assumptions, namely that the law which regulates society is in itself just and that lawful government will justly enforce it. By extrapolation, we tacitly assume that the rule of law is beyond violence. But is this so? Is it indeed possible to posit a genuine antithesis between law and violence? Wolcher³⁵¹ has

³⁵¹ Louis E. Wolcher, "The Paradox of Remedies", in *Human Rights in Philosophy and Practice*, ed. Burton M. Leiser and Tom D. Campbell (Aldershot UK: Ashgate Dartmouth, 2001), 549-586. Wolcher's article is based on the text of a lecture the author gave to the judges and staff of the European Court of Human Rights in Strasbourg, France, on 19 March 1999. He is Professor of Law, University of Washington, School of Law, Seattle, USA.

examined this question in relation to legal remedies under human rights law and what follows is largely based on his reasoning.

Wolcher begins by pointing to the existence of remedial law or legal texts that have the role of *restraining the methods of law* in advance as the best example for the admission that law is legitimate coercion. In the context of rights and remedies it poses the question “which comes first?”. If rights exist first and are then violated, no sanctions could be imposed without the existence of remedy. On the other hand, legal rights cannot come into existence without the presence of remedial promises in advance. However, the distinction that produces the paradox of rights and remedies disappears, says Wolcher, when one changes the frame of reference by asking not “which comes first?”, but how official acts of violence (i.e. the enforcement of rights by means of remedies) gain legitimacy. This question, argues Wolcher, goes to the heart of the issue: “What role does official violence play in the ceaseless cycle of violence we call history?”³⁵²

From the perspective of human rights law, two aspects must be held in tension. In the context of national law, the argument for coercion is derived from Hobbes’ concern that, without the violent means of the law, people might fall into even deeper violence and anarchy. In the context of international law, this supra-national institution seeks to limit state violence, particularly in cases where the state considers such violence legitimate and where it accomplishes its task also by means of violence. The difference is that in the latter case the origin is consensual in that the authority for enforcement “lies in the prior consent of the state” (e.g. the ratification of a U.N. Convention for example). In other words, two mutually dependent systems of official violence operate. On the one hand, the supra-national law system which needs state violence to maintain its authority as a means to limit the use of official violence in the system; on the other, the national law system which needs the official violence of the supra-national order to make sure that most of its acts “go undetected as violence”.³⁵³

³⁵² Wolcher, “Paradox”, 551.

³⁵³ *Ibid.*, 553. Note here the element of concealment which points to its mythical and sacrificial core. Girard wrote along this line, “as soon as the judicial system gains supremacy, its machinery disappears from sight ...” (René Girard, *Violence and the Sacred*, 22).

Wolcher also notes with concern that the “command respect” which the substantive law creates, and from which legal rights are derived, has had its substance “utterly penetrated and determined by remedies from the very outset”. Traditionally, however, “rights” were understood as causes for remedy so that in the above context the notion of a “right” has been reduced to an expression of the existence of a remedy. In other words, when remedies are put before rights, the coercion lies in the remedy itself and the word “right” becomes a name for the courts’ inclination to grant or to withhold the remedy. These implications can only be avoided if law is backed up by a credible promise of enforcement. This reiterates the point of my argument that coercion lies at the heart of the law. Yet, history provides ample evidence that the human response to law in terms of a moral duty is less than compliant.³⁵⁴

For Wolcher, the problem of legal violence is the question of how the actions of the state are legitimated and the measures of enforcement set. In Girardian terms, this creates the double bind:

Too much force is illegitimate violence by the state; too little force is the state’s illegitimate retroactive authorization of the violent overthrow of rights that public remedies are supposed to rectify.³⁵⁵

By relying on Walter Benjamin’s *Critique of Violence*, Wolcher then tackles the deeper issue of founding violence. According to Benjamin, while one kind of violence enforces the law and thereby conserves the existing law order, there is always an antecedent violence that was responsible for originating the legal order in the first place that relies for its legitimacy on “the brute historical fact that it succeeded”. Wolcher writes:

Law is thus founded in a spasm of violence that is neither legitimate nor illegitimate, but rather a kind that transcends the distinction. And now that it has been founded in blood ... law seeks above all else to preserve itself – and this means to preserve its

³⁵⁴ To make his point, Wolcher quotes Wittgenstein, who acutely locates the real problem in human rebelliousness *vis-a-vis* ethical demands: “When an ethical law of the form, ‘Thou shalt ...’ is laid down, one’s first thought is, ‘And what if I don’t do it?’” (Wolcher, “Paradox”, 561; Ludwig Wittgenstein, *Tractatus Logico-Philosophicus*, with an Introduction by Bertrand Russell [London; New York: Kegan Paul, Trench, Trubner & Co., Ltd., 1947], 6.422).

³⁵⁵ Wolcher, “Paradox”, 562. Why is this important? As soon as remedial law enters the “calculus of legitimacy” in terms of “too much” or “too little”, the distinction between right and remedy collapses, and substantive law and remedial law have become just law that ought to be obeyed.

status as the only grammatically correct noun to which the descriptive phrase “legitimate violence” may be applied.³⁵⁶

From this viewpoint, argues Wolcher, the law is not necessarily interested in legal outcomes, but in keeping its monopoly of force. And to conserve its hold over the word “legitimate” it must seek to “deny or obscure its origins”. In Girard’s language, the law order is “mythical” and as such obeys the logic of the founding murder.

Its radical indeterminacy lies in the fact that human beings are the ones who commit acts of violence against other people whenever law enforcement is practiced. The more plausible the application and scope of a law as authority, says Wolcher, the greater the violence. But such “enforcing violence fails to ground itself in any authority beyond its own performance. It is naked and literally lawless violence”.³⁵⁷

By identifying the problematic of law’s violent origins and its resultant indeterminacy, Wolcher describes one of the central features of the human rights crisis.

To be sure, there is an “enabling aspect of violence” which also Girard acknowledges. It is the sacrificial violence of archaic society which later evolves into the judicial systems of legally structured civilizations. Enabling violence is carried out so vigorously that victims or potential victims of human rights abuses can live in the hope that the law will correct the injustice. In that case, violence restrains and coerces us for our benefit as we rightly fear the greater violence that might ensue in its absence. But since mimetic human agents (not rights and duties) carry out the “deed of the law”, the violence that through mimesis is already inherent in the deed has the potential to get out of hand. Therefore, violence, the good and the bad, continues to “play its fated role in constituting and perpetuating the ... ceaseless cycle of violence” of human history.³⁵⁸

³⁵⁶ Wolcher, “Paradox”, 563.

³⁵⁷ *Ibid.*, 570.

³⁵⁸ *Ibid.*, 578.

These observations lend even greater poignancy to the conclusion of previous sections, and underscore one of the main tenets of the investigation as a whole. From the evidence presented, we must seriously question the proposition that the institution of human rights is capable of liberating the world from violence, cruelty and other abuses, let alone usher in a civilization of mutual respect and dignity “in the spirit of brotherhood” as the UDHR declares.

CONCLUSION

The Anthropological Significance of the Crisis

At this point we can draw several conclusions that are critical for an understanding of the contemporary crisis and lend support to my thesis. Mimetic anthropology reveals the universal in the victimary mechanism rather than in violence has such. The function of this “sacrificial” process is not primarily religious but anthropological (although in religious disguise) aimed at the unification of the community: it is to keep human vengeance in check.

Like sacrifice, the judicial system represents a preventive procedure against man’s own violence. However, it conceals even as it also reveals its resemblance to vengeance and differs only in that its verdicts punish the truly guilty and that its force discourages reprisals. It too must declare its violence “holy” and legitimate in order to oppose successfully the violence that is illegitimate and “unholy”. In other words, to be effective a judicial system must take upon itself a monopoly on the means of vengeance. This exclusive access to violence in turn depends on a firmly established political power which can liberate as well as oppress.

According to Girard’s thesis, it is the hidden dependence on the victimary mechanism that makes the system effective. Once this veil is pulled aside and the concealing function of the system has been disclosed, signs of disintegration will appear, as this analysis has attempted to show. This explains the enormous difficulty of humanity to acknowledge its own complicity with violence. Scapegoating is just another name for our first impulse to conceal our participation in it and to project our hostility onto another.

As the underlying truth comes into the open, humanity is increasingly confronted with its own propensity for reciprocal vengeance.

Since the judicial system is the heir of the sacrificial order and bound to violence just as its predecessor was, violence remains the ultimate means of legitimizing the authority, now through “deeds of the law”. From this I conclude that the human rights system belongs structurally to the same order as the system it seeks to correct.

Faced with a rising tide of human antagonisms not the least caused by envy as a result of the proliferation of desire mediated by a globalization of rights, the peril in which humanity finds itself cannot be overstated.

Mimetic anthropology has demonstrated that, when we are confronted with our own chaos, we will try to stop the freefall into its vortex sacrificially, that is, by taking the life of others. This propensity is of such potency that even human rights mechanisms are powerless.

It may be instructive to extrapolate from the above context. Suppose that the world-wide human rights project were to engage in acts of self-renewal and shift the emphasis from norm-setting to the prevention of abuses. In that case the nations would have to confront the question of how to shift the motivation of the global political and economic order, which is presently driven by self-advantage, from dealing with symptoms in a palliative sense to actually fixing causes. They would have to address the question of what alternative political, economic and social attitudes would have to be cultivated to induce and maintain such a shift.

In a world that spends twenty times more on weapons than on the economic development of poor nations for fear that the neighbor might strike first, where human suffering is being turned into bargaining chips for political and economic gain, it is hard to imagine that the players involved will turn around out of purely moral motives.³⁵⁹ In any case, it should have become clear that the root cause of the crisis lies in our conflictual mimetic impulse and its victimizing consequences. As

³⁵⁹ For instance, what would motivate China, the second most powerful nation on the planet, to move towards more tolerant policies while its leadership remains convinced that their current policy of repression serves internal stability better?

Girard has shown, such dynamics defy our best moral intentions. To suggest that all it takes for the world to get out of this entrapment is to step up to a higher moral commitment would be an inadequate response.

The preceding account leads to the thought that the realization of the wholeness to which we aspire must be sought ultimately not in a proliferation of legal norms (as important as they are), but in the liberation of human desire. From this perspective, the words of the UDHR might take on a fresh meaning: no longer to be read as answers, but as humanity's search for a soteriology and as mediating elements of our transcendent desire for a new civilization. However, such a civilization would have to be contingent on an important caveat. It must be the product of a soteriology whose doctrine no longer presumes that human ingenuity can succeed in forging our "salvation", as Glenn Tinder reminds us:

Those who envision man [sic] as a potential creator of an ideal order construe human perversity as temporary and relative. In view of the millennia of disorder behind us, and of the human traits most conspicuous in our own age of disorder, that interpretation must be regarded as a daring act of faith rather than a reasonable calculation.³⁶⁰

This chapter began with puzzlement and was an attempt to gain new perspectives. Before drawing this part to a close, one more point needs to be made. Let us recall Bauman's charge that the Holocaust defies our familiar explanations. With their philosophical roots in the Enlightenment, which sought to repudiate the Judeo-Christian tradition that gave Western culture its spiritual centre, familiar categories about humanity as rational beings simply fail in the light of such horrendous acts of collective violence as the Holocaust or Rwanda.³⁶¹ This failure points to the failure of the Enlightenment project itself, despite its achievements. Today's massive cultural disarray, world hunger, environmental degradation, proliferation of bloodshed and the prospect of global anarchy make the claims that we can govern ourselves, handle political power wisely and exercise benevolent prudence in economic affairs no longer credible. The ideals of Locke and Kant who

³⁶⁰ Glenn Tinder, "Against Fate", in *Against Fate: An Essay in Personal Dignity*, Loyola Lecture Series in Political Analysis (Notre Dame: University of Notre Dame Press, 1981), 153.

³⁶¹ Bauman might say that the Holocaust was reason's most thoroughgoing project of social engineering.

saw the human being as a disengaged, self-responsible agent imbued with reason and volitional freedom simply ring no longer true despite the words of the UDHR.

What then will become of our hope for a better world? If we follow Tinder, the admission that as a race we are incapable of exorcising our own demons may be a good starting point. However, despite ominous signs, there is the sense of a persistent hope in the world that humanity is not destined to self-extinction. This hope beckons us to take up the historical challenge all over again. No doubt, the success of the human rights project will be judged by history. Even a provisional verdict must remain untrue if it proceeded only from a theoretical, rhetorical and political viewpoint. To be truthful the human rights project must also take into account the condition of the human heart as well as the views of the victims of abuses. If Girard is correct that mimesis is the mark of our humanity and that we are structured fundamentally towards transcendence, the sociality we long for must be a civilization of a different order. If human society in its present form is the work of the mimetic process disciplined by “the law”, would it be too far fetched to envision a civilization founded on a higher order mimesis that is free from bondage to vengeance and mimetic violence?

The exploration of this possibility will be the focus of the ensuing chapters as I pass from the anthropological to the theological analysis. Because of the importance of *mimesis* as an anthropological datum, the next chapter will probe its theological foundations.

CHAPTER 5

HUMAN MIMESIS IN THEOLOGICAL PERSPECTIVE

INTRODUCTION

As we have seen in Chapter 3, human mimesis constitutes the central anthropological datum in Girard's theory. Because human beings imitate one another's desires, which are in themselves mimetic, mimesis leads to conflict and violence. However, this aspect must not obscure the positive dimensions of mimesis. For instance, all learning is imitative. Humans imitate one another's gestures, language and other cultural signifiers aiding socialization. Psychiatrist Jean-Michel Ourghoulian, one of Girard's collaborators, is convinced that mimesis is a "nature's constant" comparable to gravity. As a psychological movement, it not only gives "rise to the self, and ... animates it" but, just as gravity assures the cohesion of the universe, so mimesis keeps the social fabric together by holding human beings "together and apart" at the same time.³⁶² Girard has described this positive mimesis as the "dynamic enabling" that opens humans up to the world and allows them to engage in loving relationships.³⁶³ It is the aim of this chapter to grasp this "openness" theologically so that the theological part of our investigation may address the human rights crisis in a critical yet hopeful manner.

Since we must be selective in the choice of themes, special attention will be given to four aspects. First, by relying on a re-reading of the creation account in Genesis with special reference to the *imago Dei*, I shall explore the idea that humanity's mimetic capacity is derived from a correspondence between the Creator and the creature. Next, I shall show that both the life of Jesus as reflected in the text, together with the testimony of the Pauline correspondence, where multiple references to *mimesis* may be found, offer further evidence for this thesis. Lastly, and more speculatively, I shall explore the possibility of human mimesis being grounded

³⁶² Jean-Michel Ourghoulian, *The Puppet of Desire: The Psychology of Hysteria, Possession, and Hypnosis* (Stanford, CA: Stanford UP, 1991), 11-12.

³⁶³ *Girard Reader*, 62-65.

ultimately in the divine life itself, namely in the eternally self-constituting mutuality within the Trinity. This multi-dimensional picture of human mimesis as a constitutive structure of the “image of God” prepares the ground for an exalted vision of human creatureliness.

It is my assumption throughout that the human creation is characterized by a capacity to desire God beyond all other desiring and that humanity is authentically (re)constituted only by mimesis understood in this way. In other words, the realization of our creatureliness is bound up with the discovery of who God is and with humanity becoming true to the Creator.

THE *IMAGO DEI* AND THE REPRESENTATIONAL GROUND OF MIMESIS

Before exploring the “image of God” metaphor in relation to mimesis, it may be helpful to explain how I read the creation narrative.

The doctrine of creation is traditionally articulated in terms of causation and control. This view seems to fall far short of the richly dynamic and interactive model suggested in the biblical text. In this light, it would be a distortion to understand God’s creation as an already finished product of divine fiat and transcendent power.

As Michael Welker has pointed out, one of the striking features of the Genesis account is the responsiveness between Creator and creation.³⁶⁴ Creation appears in response to divine utterance. Yet, God also responds to what he has created: seven times he pronounces it good, on three occasions he names what he has created, and he continues to remain engaged with his handiwork by observation and evaluation (Gen 1 and 2). Apart from causing and producing, God also confronts what he has created in its otherness and potential independence with ongoing acts of shaping and divine blessing. At the same time, he implants creaturely activity (not just human) in the process of creation so that what has been created emerges as a co-creator with him. In other words, it is not only God who causes and produces, but

³⁶⁴ Michael Welker, “Creation and the Image of God: Their Understanding in Christian Tradition and the Biblical Grounds”, *Journal of Ecumenical Studies* 34, no. 3 (1997), 436ff.

creation itself participates in the rhythms and processes of unfolding and ruling. What comes into view is a much richer matrix of interaction than that of the causation/dependence model. Welker notes that even a one-to-one reciprocity between God and individual aspects of creation is insufficient, as God brings “diverse creaturely realms” into “fruitful, life-promoting associations of interdependent relations” with each other.³⁶⁵ Bruggemann makes a similar point when he writes that the “interpretive center” of Genesis is God’s call and promise designed to provoke a faithful response on the part of the creation to its Creator.³⁶⁶ Turning to the human creation, Donald MacKay reminds us that God himself remains active within the drama of human existence through self-disclosure, and even dialogues with his creature.³⁶⁷

It is from the perspective of a responsive and mutually participative relationship between God and his creation on the one hand, and between creaturely domains on the other that I propose to discuss the notion of human mimesis. In this context, it must be noted, however, that “reciprocity” does not mean reciprocity in the strict sense, especially in relation to divine/human interaction. It is to be understood in terms of a “dialogical responsiveness” whereby the qualitative difference of God’s relation to the human creation and of the human response to God is recognized. On the Creator’s part, an infinite relatedness is exercised while human relationality either in regard to God or more generally to the “other”, is circumscribed by a particular embodiment including our historical, cultural and sinful condition.³⁶⁸

The *Imago Dei*

Over the centuries, the study of the *imago* has had an important cultural influence. Its interpretation has largely shaped the Western understanding of humanity and, as one

³⁶⁵ Welker, “Creation and the Image of God”, 436ff.

³⁶⁶ Walter Brueggemann, *Genesis*. Interpretation: A Bible Commentary for Teaching and Preaching (Atlanta: John Knox Press, 1982), 1-3.

³⁶⁷ Donald M. MacKay, *The Open Mind and Other Essays: Donald MacKay, a Scientist in God's World*, ed. Melvin Tinker (Leicester, England: Intervarsity Press, 1988), 187.

³⁶⁸ Catherine Mowry LaCugna, *God for Us: The Trinity and Christian Life* (San Francisco: Harper Collins, 2000), 292.

would expect, a wide range of exegetical opinion has evolved around the subject, and the literature is vast.³⁶⁹ Many proposals of the exact meaning of the image of God have been offered. To survey them would go beyond the scope of this examination. My heuristic procedure in search for imitative patterns is descriptive rather than exegetical.

Modern scholarship has asserted that a variety of social and religious traditions lie behind the text of the creation account. But despite this “admixture” the ancient texts as we have them tell a remarkably human story which is not historical in the modern scientific sense, but nonetheless “historylike”, set as it is within a narrative that in powerful imagery relates humanity to the divine work of creation. From this, Old Testament scholars such as Bruce Birch have concluded that, as part of an immemorial cultural tradition, we can take seriously these accounts of ancient generations who have transmitted and celebrated in story and song their relationship with the God of Israel.³⁷⁰

The text of Genesis 1:26-28 announces the origin of the human race, and in daring language it declares something of crucial importance to our understanding of humankind and its divinely appointed mission.

Then God said, “Let us make man in our image, according to our likeness; let them have dominion over the fish of the sea, over the birds of the air, and over the cattle, over all the earth and over every creeping thing that creeps on the earth.” So God created man in his own image; in the image of God he created him; male and female he created them. Then God blessed them, and God said to them, “Be fruitful and multiply; fill the earth and subdue it, have dominion over the fish of the sea, over the birds of the air, and over every living thing that moves on the earth” (Gen. 1:26-28 NKJV).

By virtue of its location in the creation account, this text must be regarded as announcing the climax of God’s creative work. Man is distinct from all other

³⁶⁹ The career of this text in exegetical history has been as colorful and diverse as the history of interpretation itself, influenced as much by the characteristics of the times as by the favorite motifs of its interpreters. An extensive body of literature has accrued on the question what may be meant by the “image of God” and the subject is still an important focus for theological discussion, although interest in its exposition has waxed and waned in the course of history. See A. Gunnlagure Jonsson, *The Image of God: Gen. 1:26-28 in a Century of OT Research* (Stockholm: Almqvist & Wiskell, 1988), also a recent article by W. Sibley Towner, “Clones of God: Genesis 1:26-28 and the Image of God in the Hebrew Bible”, *Interpretation* 59, no. 4 (October 2005): 341-356.

³⁷⁰ Bruce Birch *et al.*, *A Theological Introduction to the Old Testament* (Nashville: Abingdon Press, 1999), 40-44.

creatures because of the “image” that is in him. Moreover, the term “man” is to be understood as a collective category, which modern translations render “humankind”.

The primary evidence in the Old Testament for the compound phrase “the image and likeness” is relatively sparse. The first reference occurs in the above passage. It follows a solemn self-exhortation on God’s part: “Let us make man...” Taken as a theological statement, this reflects the Creator’s intent that human beings should have dominion over the rest of creation.³⁷¹ The second reference appears in the context of procreation and the succession of the generations. The third presents the human being as especially dignified (albeit a sinner by now) whose blood may not be spilt because of the image of God that is in him (Gen 5:1-3; Gen 9:5-6).

In parallel with ancient mid-eastern ideas of royal representation, von Rad proposed that “man” as the image of God was to represent and “enforce his [God’s] claims to dominion over the earth”.³⁷² Connecting the “image” to “having dominion” in terms of representation intertwines two strands of meaning – the “royal” and the “functional” – which locate meaning in the purpose of humanity’s creation (to have dominion). In this interpretation, the “image of God” suggests a vice-regal position, which in turn points to God’s sovereign rule and witnesses to his presence.³⁷³ Today, the majority of scholars emphasize the functional strand.³⁷⁴ Another proposal sees in the “image” a reflection of the human capacity to relate to God, thus emphasizing a divine/human partnership. God and human beings may interact in covenantal dialogue with each other.³⁷⁵

³⁷¹ Towner points to recent scholarship which reads the text “Let us make man ... so that they have dominion ...” (Towner, “Clones of God”, 348).

³⁷² Gerhard von Rad, *Genesis* (London: SCM Press, 1972), 60.

³⁷³ Smith and Wildberger pioneered the royal interpretation, while Holzinger and Hehn emphasized the functional view of the “image”, which interpreted man’s role as one of stewardship. The latter gained little support initially, but has now gained favor with most OT scholars, e.g. Brueggemann, Clines, Dumbrell, Gross, Klein, von Rad, W.H. Smith, Wenham, Wildberger, Wolff and Zimmerli.

³⁷⁴ I. Hart, “Genesis 1:1-2:3 as a Prologue to the Book of Genesis”, *Tyndale Bulletin* 46, no. 2 (1995), 315-336.

³⁷⁵ Barth, Brunner, Hessler, Horst, Stamm, Vischer, Vriezen and Westermann are among its main proponents.

Westermann argued that the Biblical text speaks of an action only on God's part. Therefore, the "image" has meaning only in the context of the primeval event. Because the text focuses on the beginning of humanity, it is the act of creation that enables an interaction to take place between God and his human creation. In short, the meaning of the *imago* is derived from the creation event. Moreover, the text is not concerned with the individual but with the species, for it is humanity as a whole that is created in correspondence to the Creator.³⁷⁶

Firmage, on the other hand, takes the priestly agenda into account and sees as the central feature of the "image" the twin ideas of holiness and humanity. Humanity "in the image of God" is suggestive of human potential realized by imitating the Creator, yet with a divine enablement, and by sanctifying worship. God puts humans in charge of his creation in the hope that, aided by divine gifts and instruction as to God's nature, humanity will enter its holy vocation and "mirror its Creator."³⁷⁷

Mimetic Humanity: God's Counterpart

In its interpretation of the "image", Christian theology has traditionally placed its emphasis predominantly on the *imago*-text of Genesis 1:26-28. As a result, God is seen as the omnipotent and "radically transcendent" Other who works in total independence from creation. However, when this text is taken together with Gen 2, a picture emerges that resembles the one I have sketched in the introduction. In this broader field of interpretation, the creation, far from being a finished state, is generatively interactive.³⁷⁸ God is seen as producing diversity and relationality rather than a finished entity. The process of creation is not merely an act of causation, of bringing forth, but an unfolding that includes participation of creaturely activity at manifold levels. Again, the picture shifts from absolute initiative and omnipotent control to power-sharing. Instead of a single event, a process of interaction comes

³⁷⁶ Claus Westermann, *Genesis 1-11: a Commentary* (Minneapolis: 1974), 158.

³⁷⁷ Edwin Firmage, "Genesis 1 and the Priestly Agenda", *Journal for the Study of the Old Testament* 82 (1999), 97-114.

³⁷⁸ Birch *et al.*, *A Theological Introduction to the Old Testament*, 46.

into view that suggests divinely ordained openness including freedom and independence for the sake of such relational interaction.³⁷⁹

This emphasis on relationality is also reflected in the creation of humanity as male and female in their mutual relatedness and intimacy. Therefore, it is not unreasonable to hypothesize that creation at the divine/human interface is similar to human coexistence in that it includes responsive, even imitative, elements and structures. Since every human being is created in the divine image, not just kings, the text also subverts all hierarchical interpretations and royal pretences, and infuses all humanity with an inalienable dignity and responsibility within the divine ordering,³⁸⁰ a point to be explored more fully in later chapters.

It follows that God in creating humanity had created a genuine counterpart able to respond to the Creator. Yet only if the response of this being also reflects God's character would it be the representational image or *eikon* of the invisible God.³⁸¹ This image was to be lived out in a corporate and social existence compatible with the divine presence, in an abiding consciousness of the Creator³⁸² who called his creature to fidelity (Gen 5:24; 6:8-9).

Yet, as Vawter points out, such a relationship to God and to others implies *reciprocal* consciousness. To act responsibly in relation to God and, by implication, to other human beings and the rest of creation, human consciousness must in some manner "mirror" the supreme consciousness of the creator.³⁸³ For humanity to

³⁷⁹ Birch *et al.*, *A Theological Introduction to the Old Testament*, 50.

³⁸⁰ *Ibid.*

³⁸¹ However, since God is infinite, he cannot impart himself to his finite creature "directly" without exposing the creature to extreme tensions. On this point Schwager writes, "Gerade weil Gott kein Rivale der Menschen ist und ihnen alles, was er selber an unendlicher Güte hat, schenken möchte, muss er ihnen notwendigerweise auch das Risiko der Begegnung mit ihm zumuten, obwohl dies ihre Kräfte überfordert" (Schwager, "Neues und Altes Zur Lehre von der Erbsünde," 1-29).

³⁸² S. D. McBride Jr., "Divine Protocol: Gen 1:1-2:3 as Prologue to the Pentateuch", in *God Who Creates*, ed. W. Brown and S. D. McBride Jr. (Grand Rapids: Eerdmans, 2000), 29.

³⁸³ Bruce Vawter, *On Genesis: A New Reading* (London: Geoffrey Chapman, 1977), 57.

replicate the divine life in creaturely mode it must discover and adapt to the character of its Maker in an existence of perpetual reciprocity.³⁸⁴

That the Old Testament intuition perceived the relationship with Yahweh along these lines is magnificently affirmed in Psalm 104. The psalmist, while meditating on the great works of God, recognizes the divine order in all that exists. Through his personal conformity to the divine pleasure (v. 34), he expresses his relationship to God in praise and worship (v. 1, 31, 33, 35b).

The creation mandate regarding human “dominion” over the rest of creation can be likewise understood along such intensely relational, even imitative lines. Human dominion was to be modeled on God’s dominion. Wilfong puts it this way: “If humankind is to carry out the task of dominion as God’s representative, then the exercise of human dominion should *imitate* God’s own ...” (emphasis added).³⁸⁵

As God’s counterpart, humanity was to be the representative link between God and creation. By reproducing the divine life on earth through faithful reciprocity, humanity realizes its calling to “mirror God to the world”.³⁸⁶ To be in “the image of God” means not only to be blessed with the power to procreate, but also with the responsibility to “rule” so that the world may be the place that God intends it to be. In Cotter’s analogy: as God is to the entire creation, so was humanity to be to the world.³⁸⁷

And so, to be in God’s image means mediating his presence to the world by imitatively replicating the divine life at the earthly level. However, such reciprocity

³⁸⁴ Cf. Karl Barth, *Church Dogmatics III-1* (Edinburgh: T & T Clark, 1956), 184-185.

³⁸⁵ Marsha Wilfong, “Human Creation in Canonical Context: Gen 1:26-31 and Beyond”, in *God who Creates*, 46. By implication, Vawter makes essentially the same point that this dominion was not to be exploitative: food had been restricted to plants, i.e. humans were not allowed to kill animals for food (cf. Vawter, *On Genesis*, 60; also Douglas J. Hall, *Imaging God as Stewardship* [Grand Rapids Eerdmans, 1986]). According to Hall, a right relationship with God results in right relationships with the rest of creation (*ibid.*, 98).

³⁸⁶ Birch, *et al.*, *A Theological Introduction to the Old Testament*, 50.

³⁸⁷ David W. Cotter O.S.B, ed., *Genesis, Berit Olam: Studies in Hebrew Narrative and Poetry* (Collegeville, Min.: Liturgical Press, 2003), 18. This almost holographic language will give rise to further hypothesizing in the Trinitarian section of this chapter.

was always to be subject to divine sovereignty.³⁸⁸ Humanity so understood is therefore defined by the categories of divine sovereignty and loving responsiveness or obedience.³⁸⁹

Mimesis as Mark of the Maker

Given the pathos of the Genesis story as it narrates humankind's origin and role and emphasizes a relationality that is intensely mutual, the question must be asked what other such allusions to mimesis may be hidden in the creation account beyond what we have already noted. If one assumes that mimesis is one of God's finger prints on humanity, more evidence may be detectable in the biblical description of the day-to-day life centered on a primal correspondence between God the worker and human work.³⁹⁰

In Genesis 2:7 we see God as the potter metaphorically with his hands in the clay forming from the dust of the ground a male figure to which he imparts "something of God's own self [as] an integral part of human identity ..."³⁹¹ Similarly, God acts as a gardener planting trees and out of his fount of knowledge sets boundaries to creaturely desire and activity (2:16-17). When we consider the nature of human work (tilling and keeping), it seems to parallel such divine activities of creating and maintaining.³⁹²

Robert Banks has argued that other images of God such as artist, composer, potter, metal-worker, garment-maker, shepherd, and builder, cannot simply be

³⁸⁸ Hamerton-Kelly suggests that God exercises his sovereignty by drawing to himself "all of human desires" (Robert Hamerton-Kelly, *Sacred Violence: Paul's Hermeneutic of the Cross* [Minneapolis: Fortress Press, 1992], 105).

³⁸⁹ Walter Brueggemann, *Theology of the Old Testament, Testimony, Dispute, and Advocacy* (Minneapolis: Fortress Press, 1997), 454. As I have already indicated, this keenly sensitive and passionate relationship had obvious moral implications. It demanded form as well as integrity. Both found their reflection in the covenant experience of Israel. It meant that the fulfilment of humanity's role (including the enjoyment of God's benevolence) was set on a footing of obedience and, one might say, a continuing imitative adaptation of human character to the will of God.

³⁹⁰ Robert Banks, *God the Worker: Journeys into the Mind, Heart and Imagination of God* (Sydney: Albatross, 1992), 10.

³⁹¹ Birch, *et al.*, *A Theological Introduction to the Old Testament*, 51.

³⁹² Westermann, *Genesis 1-11*, 221.

dismissed as anthropomorphic projections. Rather, they ought to be seen as analogies formed by the theological intuition of Israel into the revealed character of God. An important dimension of God's revelation would be missed, suggests Banks, if these analogies did not engage the imagination to draw us deeper into God's pattern of life. They are designed as "a journey ... into the heart of God's creative work. It is a journey that takes place not for its own sake, but that we might become *imitators of God*".³⁹³

Birch and other commentators have also drawn attention to the doxological language of the creation account with the Sabbath as the most notable liturgical marker. The Creator worked for six days and rested on the seventh. Without participation in the Sabbath celebration, humanity's mandate was not complete. Humanity was to emulate the rhythm of the creator in his creative activity and follow the pattern of work and celebration.³⁹⁴ Moltmann has called the Sabbath "the feast of creation"³⁹⁵ with worship rather than rest at the centre of sabbatical activity. Thus, keeping the Sabbath emerges as a symbol of humanity's imitative participation in the life of God, while their work finds its meaning in relation to worship of the Creator.

Another imitative example is the music-making of Israel. The very existence of music points to the creative/artistic side of divine creation and ongoing inspiration. In the Psalms, the interplay between the life of God and the invitation to sing is constant. Spontaneous worship often results. In other places, the Old Testament pictures all creation singing together with the angelic host (Job 38:7) and even God sings over his people with joy (Zeph 3:17). Human music and song are images of divine artistry. Humanity's worshipful participation in God's creative activity occurs, therefore, on the basis of "good mimesis" for which humans were especially equipped above all other creatures to be the image of God in this way.³⁹⁶

³⁹³ Banks, *God the Worker*, 23 (emphasis added).

³⁹⁴ I. Hart, "Genesis 1:1-2:3 as Prologue to the Book of Genesis", *Tyndale Bulletin*, 46, no. 2 (1995), 315-336.

³⁹⁵ Jürgen Moltmann, *God in Creation* (San Francisco: Harper & Row, 1985), 5.

³⁹⁶ In the patristic period, Origen stands out for his perception of the mimetic character of the *imago Dei*. While the number of allusions to mimesis is remarkable, even more surprising is an apparent presence of all the elements that are now to be found in Girard's mimetic anthropology. It is beyond our scope to explore Origen's perception in depth. A brief remark shall suffice. Origen's *imago*

In sum, the theology of the “image of God” is based on the conception of God’s relation to the human creation such that the human being grows in conformity to the divine reality through ongoing imitative desiring. From this point of view, human mimesis is an aspect of God’s ordering of creation so that the human can assume its mediatorial and representative role. Humanity is the finite temporal *eikon* achieved through mimetic desire in order to conform the human to the divine. As the image of God, the human being worships God, the divine prototype, and relates to the rest of creation, and, above all, to other human beings. Human existence is thus a reciprocal, mimetic process and event. While it originates in the creative desire of God to create a counterpart, it is fulfilled only in worshipful response to the Creator.

THE CHRISTOLOGICAL GROUND OF MIMESIS

Jesus: the Perfect Reflection of the Father

In the Gospels,³⁹⁷ God – the Father – remains invisible. He is “represented” by the incarnate Son who had entered the world to make the Father known. His works testify to the Father’s reality and immanence (Jn 10:25) and are signs of the closeness between the Father and the Son. In other words, the Gospels portray Jesus as the *eikon* of the invisible God.

The “Prologue” of John’s Gospel (Jn 1:1-18) makes reference to the *Logos* as being that which was with God, that which is expressive of God. The *Logos* pertains to the divine eternity, “predating” both time and creation. This intimation of a pre-

interpretation (see H. Crouzel, *Origen* [Edinburgh: T & T Clark, 1989]) alludes to all the key elements of mimetic theory: the model, reference to imitation and above all the notion of possessive or acquisitive desire. Origen was apparently also aware that under the deceptive influence of selfish desire what is perceptible to the senses is capable of idolatrously replacing the true image of God. He writes: “In the divine thought ... the aim of the perceptible is to point the soul in the direction of the true realities and ... to inspire in the soul the desire for these. There is, however, the risk, because of the weakness of selfishness of man that it will take the place of its Model and arrogate to itself the adoration due to the Truth, which it figures” (*ibid.*, 138-39). When what is perceptible to the senses becomes man’s imitative centre, a false image emerges as the object of humanity’s transcendent desire. For Origen, the human propensity for desiring was by divine intention to be directed towards God. This internal core remains present even after the fall, and through it human beings may recognize and imitate the true model, Christ, which leads to a growing conformity with the Creator.

³⁹⁷ Except for the temptation account, I shall limit myself in this section to references from the Gospel of John.

existent relationality involves both distinctness and union which will be the particular focus of the trinitarian section of this Chapter. Here I simply highlight the divine communication of this relationality to the world in the person of Jesus.

The ineffable and invisible Father, whom no one has ever seen, is made known by the incarnate Son who was “in the bosom of the Father” (Jn 1:18). Only the Son reflects the full representation of the Father’s life and light, even in the midst of darkness and rejection. Yet, this “knowledge” is a gift that may be received at the human level. Through the Son’s self-giving to the Father, all those who “receive him”, who accept the gift become “children of God”. This gift in turn communicates a new reality. It reconstitutes those who are touched by its creative presence so that they are “born anew” (Jn 3:3). As Anthony Kelly explains, “the hitherto closed world of the ‘flesh’ is broken open in two directions, from above and from within. The incarnate Word [from above] provokes humanity to a new self-appropriation of itself within the universe that coheres in him”.³⁹⁸

As the Father gives his only Son for the life of the world (Jn 3:16), the Son not only manifests the Father’s work in creation but also replicates and continues it in the drama of re-creation. As the *Logos*, he is the source of life and being for “in him was life ...” (Jn 1:4) communicating the deathless love of the Father in perfect replication. In this way, Jesus presents to humanity an image of God that subverts every false perception of deity. The Father’s self-giving love has nothing to do with a representation of the divine that springs from a collective imagination steeped in the death-orientation of sacred violence.

It is the mission of the Son as the incarnate Word to “take away the sin of the world” and to create within the realm of human existence an entirely new imagination. Its origin is not of this world but comes from the bosom of the Father who in the Son gives himself for the salvation of his fallen world. When the disciples questioned him about the Father’s identity, Jesus replied,

He who has seen me has seen the Father; how can you say show us the Father? Do you not believe that I am in the Father and the Father is in me? The words that I say

³⁹⁸ Anthony J Kelly C.S.S.R and Francis J. Moloney S.D.B, *Experiencing God in the Gospel of John* (New York; Mahwah, NJ.: Paulist Press, 2003), 47.

to you I do not speak of my own authority; but the Father who dwells in me does his work (Jn 14:9-10).

The disciples were incapable of perceiving Jesus' relationship with the Father. It was a reality outside their religious and cultural horizons. It is accessible only through the witness of Jesus himself. He declares in effect that in word and work he was manifesting who the Father is, as the authority legitimizing his words and actions. On the part of the religious establishment, such claims would inevitably provoke an accusation of blasphemy punishable by death. Their way of imagining deity was the product of a paternity different from that of the Father of Jesus. It arose not from the Father but appealed to another kind of "wisdom" as represented in the words of Caiaphas (Jn 18:14), a violent paternity from below that sees violence as necessary for the bringing and maintaining of life. The more Jesus emphasized his intimacy with the Father, the more he encountered opposition from the world, which led in the end to his condemnation and the cross.

In his life, especially in the event leading to his Passion and death, Jesus exemplified his unreserved non-rivalistic imitation of the Father: "the Son can do nothing of his own accord, but only that which he sees the Father doing; for whatever he does, the Son does likewise" (Jn 5:19). As the Son, he comes forth from the Father (Jn 16:28). Yet, Jesus does not seek to forge an identity over and against the Father. In reliance on the Father's self-giving, he perfectly imitates this in his own self-giving, even unto death. By refusing to grasp after God-likeness through self-promotion and rivalry, Jesus not only exhibits the necessity of human mimesis but also actualizes, in the realm of human experience, the exemplar and source of transformed existence.

With the arrival of "his hour", the Gospels depict the extent of Jesus' conformity to the Father (cf. Jn 13:1-3) and the reciprocity of glorification taking place between the Father and the Son (Jn 17:1ff). Therefore, knowing Jesus means knowing not only his origin but also his destiny (Jn 13:36-14:5). He appears as the perfect *eikon* of the Father and the mediator of a life flowing from his eternal communion with the Father (Jn 14:2). As the incarnate *Logos*, Jesus is the self-revelation of the Father. Consequently, his self-giving love "unto the end" (Jn 13:1)

embodies the unreserved self-giving of the Father, although it by no means exhausts it.³⁹⁹

Jesus and the Paradox of Mimetic Desire

This brings us to the point where we can ask one of the central questions. Given Jesus' union with the Father's will, and yet his distinction from the Father as his Son, how does the mimetic anthropology we have been elaborating have christological application? Or, to put the question in its most general sense, how can human beings love God without being jealous of him? Since we can only know what we desire through models, could Jesus as a human being have potentially become entangled in a double-bind whereby the Father would have been experienced as an obstacle or rival?⁴⁰⁰

The temptation accounts suggest that Jesus understood the underlying dynamic of mimesis very well.⁴⁰¹ The first temptation is introduced following Jesus' baptism (Mt 4:1-11) when he hears the voice from heaven: "This is my beloved Son".⁴⁰² Soon after, the tempter approaches him with these words, "*if you are the Son of God ...*"⁴⁰³ By questioning Jesus' Sonship, thus accentuating its desirability, the tempter not only insinuates an ontological deficiency but also subtly suggests that Jesus needs to reach for its realization on his own initiative and on his own terms. Had Jesus followed this satanic invitation, he would have repeated the pattern of the fall referred to in Genesis 3. Several similar occasions which humanly speaking would have meant mimetic temptations in the life of Jesus, are recorded in the gospel texts. Three such incidents stand out: the episode when the crowd, having been

³⁹⁹ See also James Alison, *The Joy of Being Wrong*, 99.

⁴⁰⁰ For a more detailed exploration of the double-bind in the spiritual life see J. Grote, "The Imitation of Christ as Double-Bind: towards a Girardian Spirituality", *Cistercian Studies* 29, no. 4 (1994), 485ff.

⁴⁰¹ As Girard has noted, the reason that Jesus never spoke in terms of prohibitions, but only in terms of models, is that he wanted his followers to turn away from the mimetic rivalry which prohibitions such as "thou shall not covet" would have aroused. The invitation "follow me" means, mimetically speaking, that Jesus invites us to imitate his desire to "resemble God the Father as much as possible" (Girard, *I See Satan Fall like Lightning* [Maryknoll, N.Y.: Orbis Books, 2001], 13).

⁴⁰² Mt 3:17.

⁴⁰³ Mt 4:3; 4:6.

miraculously fed, sought to make him king by acclamation (Jn 6:15); the moment when the possibility of a political uprising arose after the cleansing of the Temple (Mk 11:15-19; Lk 19:45-47; Jn 13:17); and at time of his arrest when Jesus refused to draw on the angelic host to rescue himself and his mission through an act of messianic violence (Mt 26:53). In each case Jesus responds with a gesture that shows his authority. At the same time, he refuses to assert personal power whenever he encounters the rivalry of earthly powers or rivalistic satanic modeling. He conquers the possibility of a mimetic crisis in his own being by rejecting the temptation to pursue the desirability of personal power for its own sake, keeping faith with the Father's will.

In this respect, the Cross represents a final and ultimate trial. At this extreme, he is tempted to discontinue his steadfast trust in the Father and take matters into his own hands. Yet, he does not respond with scandalized resentment. He does not take offence at the Father's demand or at his silence, but responds in loving obedience, embracing the unspeakable tension. On the one hand, he is violently expelled by human agents. On the other, he bows to the Father's will that these same human agents be not excluded from the realm of salvation. In this way, the power of the mimetic paradox is overcome.

By maintaining a stance of radical non-violence, Jesus exposes as well as criticizes all cultural systems that rely on violence, and offers a new approach. As the temptation accounts show (Mt 4:8-9), he had seen with piercing clarity the nature of all the "nations of the world", that is, all human cultural systems in the light of their deceptive lure and illusionary availability. The satanic attempt to undermine Jesus' proclamation of the kingdom of God by mediating the desirability of another kingdom – "these [kingdoms] I will give you, if you will fall down and worship me" (Mt 4:9) – reveals both the mimetic character of the temptation as well as the diabolic mechanism that builds and drives human culture. But Jesus' reaction shows that for him the centrality of these idolatrous pretences come to an end: "Begone, Satan! For it is written, you shall worship the Lord your God and him only shall you serve" (Mt 4:10).

Matthew's Gospel uses two terms for this culture-generating principle, *diabolos* and *satan*. According to Girard, this complementary vocabulary belongs to

a language that articulates the operation of the sacred at work in the disintegration of communities as well as their subsequent reconstitution.⁴⁰⁴ Synonymous with the scapegoat mechanism, these terms refer to the generative principle at work not only behind archaic cultures but also behind all human cultures. At the time of crisis, this principle creates its own antidote, bringing about a temporarily pacifying unanimity following the expulsion of an innocent victim.

Thus, a consideration of mimetic clues in the Gospel narratives discloses that the structure of mimesis operated in the life of Jesus. Through mimesis Jesus perfectly imitated the Father and represented the divine life in the human world. Because Jesus resolutely demonstrated mimesis in “pacific mode”, the possibility of overcoming “rivalistic mimesis” is a real human possibility, as will be further highlighted in the next section. These reflections also raise the further theological question of whether the structure of mimesis has its origin in the very triune character of God. Later in the Chapter, I shall reflect somewhat speculatively on this possibility; for now, we turn our attention to mimesis in the Pauline correspondence.

MIMESIS IN THE PAULINE CORPUS

The Pauline correspondence is believed to be the earliest layer of New Testament writing. Apart from testifying to the conversion of this prolific New Testament author from zealous persecutor of the young Church to ardent apologist for emerging Christianity, his writings form an important link to the period of the Christ-event itself.⁴⁰⁵

⁴⁰⁴ See Girard, *I See Satan Fall*, 182.

⁴⁰⁵ Bartlett, *Cross Purposes*, 194.

The Pauline corpus⁴⁰⁶ may be divided into two groups, letters written to churches (9)⁴⁰⁷ and letters to individuals (4)⁴⁰⁸. Six of the former contain direct references to the notion of mimesis. In each case the referent is a model whose conduct Paul's readers are to imitate either now or in the future.⁴⁰⁹ In two instances Paul wrote in order to bring correction (Corinthians and Galatians); in others he wanted to encourage his readers towards greater spiritual maturity in conformity to Jesus Christ (Philippians and Thessalonians). In short, the theme of imitation is quite explicit in Paul's letters. It also encompasses a wide range of behavioural situations relevant to our theme.

Before going further into the notion of mimesis in the Pauline context, it may be helpful to recall the theological discussion of human mimesis. As we have seen, it refers to the human capacity to be radically open to the Creator and to the world and thus potentially to engage in loving relationships or what Girard calls "good mimesis". As an unconscious mechanism it obscures the fact that people's desire is not their own and that it reflects the desire of a model. From this perspective, mimesis operates as a hidden motivation before it becomes individual or communal action. A similar understanding of the word "imitation" is detectable in Paul's usage. When Paul, for instance, urges the church in Ephesus to be "imitators of God as dear children" (Eph 5:1), he obviously does not mean a mechanical replication of actions.

⁴⁰⁶ The Pauline epistles were written with certain situations in mind, either relational problems or spiritual or moral matters that needed special attention. Thirteen letters bear his name as author, but not all enjoy scholarly consensus as to the authenticity of Pauline authorship. While there are no doubts about Romans, 1 & 2 Corinthians, Galatians, Philippians, 1 Thessalonians and Philemon, Pauline authorship of the remaining letters remains disputed, including the pastoral letters (1 & 2 Timothy and Titus). Some scholars believe that these were written pseudonymously by someone of the 'Pauline school' who wrote in the Pauline tradition (cf. Pheme Perkins, "The Letter to the Ephesians", in *The New Interpreter's Bible: A Commentary in Twelve Volumes, Vol. XI*, ed. Walter Harrelson [Nashville, TN: Abingdon Press, 2000], 351-466). Others hold to a more traditional view and attribute Pauline authorship to all letters that carry Paul's name in the canon (cf. Peter O'Brien, *Letter to the Ephesians* [Grand Rapids, Eerdmans, 1999]; A. Skevington Wood, "Ephesians"; Curtis Vaughan, "Colossians"; Ralph Earle, "1 & 2 Timothy"; D. Edmond Hiebert, "Titus", all in *The Expositor's Bible Commentary*, ed. Frank E. Gaebelein [Grand Rapids, Mich.: Zondervan Publishing House, 1978], 3-92). From the perspective of this study, the distinction between Pauline and Paulinist authorship is of secondary importance. The order in which the mimetic references are examined is chronological.

⁴⁰⁷ Romans; 1 & 2 Corinthians; Galatians; Ephesians; Philippians; Colossians; 1 & 2 Thessalonians.

⁴⁰⁸ 1 & 2 Timothy; Titus; Philemon.

⁴⁰⁹ See 1 Cor 4:16; 1 Cor 11:1; Gal 4:12; Eph 5:1; Phil 3:17; 1 Thess 1:6; 1 Thess 2:14; 2 Thess 3:7; 2 Thess 3:9.

Instead he appeals to their filial piety which willingly and implicitly trusts God's paternal will and seeks to be conformed to it. This is also the case with Paul's "kenotic" relation to Jesus Christ. He proposes himself for imitation in that, possessed as he is by the love of Christ, he has "counted all things as loss for the sake of knowing him [Christ] in his suffering and resurrection" (Phil 3:17).

Mimesis and the Outworking of Salvation

For Paul, the Christian life is shaped by conformity to Christ. Faith in Jesus Christ crucified and risen is on the one hand a transforming event. On the other, this new existence must be worked out during the life of the believer "in fear and trembling" (Phil 2:12), to be completed at the resurrection of the body (Rom 8:22-23; 2 Cor 5:4).

By being one with Christ crucified, the believer experiences the "destruction" of the flesh in order that the "body of sin may be destroyed so that we might no longer be enslaved to sin" (Rom 6:6). While this means the deathblow to the "old nature", the effective outworking of this "death to sin" as a "life onto righteousness" (Rom. 6:7-14) will take time. Conformity to Christ in his death releases the believer from the domain of sacred violence and offers a new understanding of human existence. In other words, Paul's soteriology interweaves two faith transactions which work both diachronically and synchronically in the life of the believer. Through mimetic conformity to Jesus Christ crucified, the "old man" or the self that is determined by the mimetic desires mediated by this age is rendered powerless. The body of sinful flesh is "destroyed" (RSV) or robbed of its efficacy, without destroying the believer in the process. At the same time, the risen Christ as the representative "new man" makes possible a higher level mimesis. While Paul's exhortations direct his readers towards this "imitation," they call for a continual "yes" in the life of the believer to Christ in death *and* in resurrection, or for a radical repudiation of the "old" as well as for an equally radical appropriation of the "new" at one and the same time.

Because Christ's death and resurrection represent the in-breaking of eschatological reality into the here and now, this crisis reconstitutes time and space so that he, as the mediator of a new mimesis, creates also an unbridgeable gulf between the believer and the things of this world. In other words, the Christian can

no longer enter into a relationship with them except through Christ's mediation, otherwise this relation would again be exposure to the enslavement of mimetic contagion.⁴¹⁰ Only through the acknowledgment of Christ as the new mediator of desire can the believer be separated from the attraction of the world and rendered immune to the "old" mimesis.

This transformation has nothing in common with a pragmatic calculus that weighs one ideal against another, in which the Christian ideal might or might not win the day. Rather, it derives from the radical judgment that all the kingdoms of the world are at root built on an illusion. The deception consists in the assumption that creation may be grasped directly and in a way that excludes the Creator. In Girard's language, any concession to acquisitive mimesis with its dazzling display of power derived from the death-dealing mechanisms of rivalistic desire is incapable of providing cohesion to human self and society.

The Context of Paul's Mimetic Exhortations

The call of the apostle to "imitate" him as he imitates Christ is related to specific experiential contexts. In every one of his letters Paul exhorts his readers to a life of unity, humility and godliness. In some cases, this entails correction of specific problems: e.g. those occasioned by factions, immorality, lawsuits between believers, the abuse of the Lord's Supper among the Corinthians, and legalism in the congregation of the Galatians. To understand the moral aspects of Paul's meaning of mimesis, we need to examine some of these instances more closely.

1 Thessalonians 1:6; 2:14

Paul begins the letter to the Thessalonians with the affirmation of their election. "Brothers loved by God, we know that he has chosen you, because our gospel came to you ..." (1 Thess 1:4). But this coming was not only in words, but in the *dynamis* of the Holy Spirit which brought "deep conviction" to them because of the

⁴¹⁰ Dietrich Bonhoeffer in his *The Cost of Discipleship* (London: SCM Press, 1959; 1976), 84ff. offers profound insights into Christ's mediatorial role and the radical re-arranging it implies for his followers regarding every aspect of their relationship with the world.

accompanying demonstration of a transformed life: “You know how we lived among you for your sake” (1 Thess 1:5).⁴¹¹

As the first evidence of their “chosenness” Paul points to the agency of God’s love that had brought the gospel to the Thessalonians and was further manifested in the life the missionaries had lived among them. The second mark of their chosenness resided in the effectiveness of the gospel in their midst. The Thessalonians had received the message with joy and become “imitators” of Paul; yet, this response had meant “severe suffering” for them (1 Thess 1:6). Moreover, their enthusiastic adoption of Paul as their model, himself seeking to pattern his life after Christ’s, testified to their conversion. At the same time, their joy in the midst of suffering had no natural explanation.⁴¹²

While they had become “imitators” of Paul, we must not miss Paul’s qualifying note here, “and of the Lord” (1 Thess 1:6). According to Robert Thomas, Paul’s reference to “imitating God and Christ” relates especially to *holiness* (1 Pet 1:15, 16), *love* (Mt 5:43-48; Lk 6:36; Jn 13:34; 15:12) and *suffering* (Mt 16:24, 25; Mk 10:38, 39; Lk 14:27; Jn 15:18-20; 1 Pet 2:18-21),⁴¹³ Philip Esler, on the other hand, not only highlights these theological virtues but also notes that they had become “badges” of group identity. While their faith in Christ led to persecution, it knitted them closer together.⁴¹⁴ As a result these believers had themselves become a model (*typon*) for others to imitate as they reproduced in their lives what had been modeled before them (1 Thess 1:7). Welcoming the gospel and enduring suffering go together (1 Thess 2:14), and it is precisely this connection that marks out those who

⁴¹¹ The “we” refers to Paul, Timothy and Silas.

⁴¹² Robert Thomas, “1 Thessalonians,” in *The Expositor's Bible Commentary* Vol. 11, ed. Frank E. Gaebelein (Grand Rapids, Mich.: Zondervan Publishing House, 1978), 229-89, 246.

⁴¹³ Thomas, “1 Thessalonians”, 245.

⁴¹⁴ Philip F. Esler, “1 Thessalonians”, in *The Oxford Bible Commentary*, ed. John Barton and John Muddiman (Oxford: Oxford University Press, 2001), 1199-212.

are both exemplars and imitators of the new life.⁴¹⁵ These were “echoing” (*exēcheomai*) the word of God in other parts of Macedonia and Achaia.⁴¹⁶

Such modeling and imitation cannot be explained in human terms. As grace-empowered transformation, it began with the choice that shifted their allegiance from worshiping idols (or “the sacred” in Girard’s terminology) to the living God (1 Thess 1:9). While even this step could not have been taken without prevenient grace, it nevertheless involved a step of obedience on their part.

1 Corinthians 4:14-16

I do not write this to make you ashamed, but to admonish you as my beloved children. For though you have countless guides in Christ, you do not have many fathers. For I became your father in Christ Jesus through the gospel. I urge you, then, be imitators of me.

The immediate context of this mimesis-exhortation is Paul’s spiritual paternity of the Corinthian congregation. He was the founder of the church in Corinth and asserted certain rights to correct them.⁴¹⁷ But Paul goes beyond this historical aspect of their relationship. He was their father in Christ, he had “begotten” them (*egennesā*), and now speaks to them from a parental position, quite different from that of a mere “childminder” (*paidagōgoi*), the slave employed to guard children or to escort boys to and from school. Paul addresses the Corinthians as their “father” who could rightfully ask them to “imitate” him as a child naturally imitates the parent. Such learning from a parental model occurs at first spontaneously and unconsciously. However, by using the device of an explicit exhortation, Paul turns the spontaneous unconscious dynamism of mimesis into a conscious process with significant moral connotations which the wider context of the first letter to the Corinthians makes clear. In order to correct the factional splits in the community and the resultant disorder, Paul addresses the underlying mimetic rivalry on several fronts. As

⁴¹⁵ Only in suffering are Christ’s followers tested as to whether they are indeed willing to become scapegoats and innocent victims.

⁴¹⁶ Note the mimetic connotation underlying the idea of “echo” (Abraham Smith, “The First Letter to the Thessalonians”, in *The New Interpreter’s Bible: A Commentary in Twelve Volumes, Vol. XI*, ed. Walter Harrelson [Nashville, TN: Abingdon Press, 2000], 673-737, 694).

⁴¹⁷ John Barkley, “First Corinthians”, in *The Oxford Bible Commentary*, ed. John Barton and John Muddiman (Oxford: Oxford University Press, 2001), 1008-133.

Hamerton-Kelly has shown,⁴¹⁸ Paul begins by reminding them that the Christian community is a *koinōnia*; that they are partakers of a sacrificial meal of which the Crucified One is the centre. Since Christ is not divided, there cannot be factions in the Christian community. However, this “sacrifice” differs from all other sacrifices, in that its victim did not die to placate a hostile deity. Instead, the victim died in order that human beings might transfer to him their hatred of God and of each other. By presenting the victimary death of Jesus as the foundation of communal unity, Paul appeals to his readers to identify by faith with the victim and thereby overcome the mimetic crisis affecting them. It was their rejection of the Cross which meant their refusal to be “victimized” that had led to their destructive imitation of each other and caused their disunity and factiousness. But by “imitating” (like Paul) the Crucified One, the community also takes on the same characteristics as the One who was despised and rejected by men. In other words, their identification with Christ makes them all victims. When this reality informs their self-understanding, all mimetic rivalry comes to an end. Before the cross all status-seeking and self-promotion ceases. Sectarian identities based on big names such as Apollos or Cephas are false, for the apostles themselves share in Christ’s victimhood:

[L]ike men sentenced to death; ... a spectacle to the world, to angels and to men. We are fools for Christ’s sake ... weak ... in disrepute. To the present hour we hunger and thirst, we are ill-clad and buffeted and homeless, and we labor, working with our own hands. When reviled, we bless; when persecuted, we endure; when slandered, we try to conciliate; we have become, and are now, as the refuse of the world, the off-scouring of all things. (1 Cor 4:9-11)

According to Girard’s model, the apostles are scapegoats from whose role the community benefits. By acting pacifically, they act in keeping with their new Christ-conformed nature. This becomes particularly manifest when, in situations that would usually provoke the “old man” to retaliation and vengeance, they reject mimetic rivalry. To become imitators (*mimētēs*) of Paul, then, means to become what no human being wants to become by nature – the victim of others, the scapegoat, who willingly bears the malice and violence of others without complaint or resistance.

⁴¹⁸ Robert Hamerton-Kelly, “A Girardian Interpretation of Paul: Rivalry, Mimesis and Victimage in the Corinthian Correspondence”, *Semeia* 33 (1985), 65-81. The author’s close reading of the Corinthian correspondence led him to conclude that Paul understood the Corinthian situation in the same way as an analysis based on Girard’s grid suggests.

Philippians 3:17-18

Brethren, join in imitating me and mark those who live as you have an example in us. For many, of whom I have often told and now tell you even with tears, live as enemies of the Cross of Christ.

While most commentators read this exhortation, and similar instructions elsewhere, as Paul's urging the Philippians to imitate his conduct, Hooker has asked whether it should not be read as an exhortation to be imitators *with* him rather than imitators *of* him.⁴¹⁹ But this nuance disappears in light of the highly christological perspective from which Paul writes. Whether they are to imitate Paul's conduct (patterned as it is after Christ), or join him in imitating Christ is not significant for our argument. What is important, however, is that this exhortation has a strong communal bearing. It addresses the Philippians as a community while presenting Paul and his companions, Timothy and Epaphroditus, as models to follow. Paul is concerned to distinguish between legalists and antinomians on the one hand and true followers of Christ on the other. Although the former two groups might have been professing Christians, Paul was concerned that the legalists sought to revert to Judaism, while antinomians lived for the indulgence of their physical appetites. Both presented a doctrinal and moral danger to the Philippian church.⁴²⁰ To counteract these trends, Paul speaks in stirring language of his own radical commitment to and desire for Christ (Phil 3:8-11). It is to this latter emphasis that we must look to understand Paul's meaning of mimesis. Such an interpretation is not only consistent with the emphasis of the Pauline correspondence as a whole, but especially with Paul's exposition of Christ's *kenosis* (Phil 2:5-8), to which he refers when he writes "that I might know him ... share in his sufferings ... becoming like him in his death" (Phil 3:10). For Paul to "know Christ" means to be "conformed" to him and to emulate increasingly the quality of Christ's life in his own.

⁴¹⁹ Morna D. Hooker, "The Letter to the Philippians", in *The New Interpreter's Bible: A Commentary in Twelve Volumes, Vol. XI*, ed. Walter Harrelson (Nashville, TN: Abingdon Press, 2000), 469-549, 534.

⁴²⁰ Cf. Homer A. Kent Jr., "Philippians," in *The Expositor's Bible Commentary*, ed. Frank E. Gaebelein (Grand Rapids, Michigan: Zondervan Publishing House, 1978), 95-159.

Ephesians 5:1

Since it is God's ultimate purpose to "bring all things in heaven and on earth together in Christ" (Eph 1:10), Paul's understanding of redemption includes all of creation, not just the Church. Hence commentators have regarded the letter to the Ephesians as a "hymn of unity" with a decidedly corporate emphasis.⁴²¹ However, humanity's universal longing for unity is not realizable through philosophy, Stoic or otherwise, but only in Christ where the barriers to community have been abolished (Eph 2:12-18).⁴²² In other words, this unity is already foreshadowed in the universal Church as believers participate in Christ's triumph over the antagonistic principalities and powers.⁴²³ Hence Paul's emphatic contrast between the new life and the old: the "old" or unregenerate existence is characterized by separation from the life of God and, consequently, by insatiable desire (Eph 4:19). But those who are "in the Lord" must abandon this futile quest for satisfaction of desire at the merely human level.⁴²⁴ There are those who have abandoned themselves to the full indulgence of their lower nature, and have lost all moral sensitivity (Eph 4:19). Moral degeneration has set in so that they have become instruments of inordinate desire, the desire of "treacherous duplicity" or the "desire of deceit" (Eph 4:22).⁴²⁵

Yet this mental fog of unruly desire can and must be pierced if a radical transformation is to take place. Conversion leads to the restoration of the divine image in human beings. Shattered in the fall, this divine image is renewed under the influence of the Holy Spirit. God's own righteousness and holiness are imparted as moral capacities to the believer, producing hatred of sin and love of what is right (Eph 4:24). The fact of this moral and psychological transformation is behind Paul's exhortation to be "imitators of God" as beloved children.

⁴²¹ A. Skevington Wood, "Ephesians", in *The Expositor's Bible Commentary*, ed. Frank E. Gaebelein, Vol.11 (Grand Rapids, Mich.: Zondervan Publishing House, 1978), 3-92 (following H. von Soden, *The History of Early Christian Literature: The Writings of the New Testament* [London: Williams and Northgate, 1906], 18).

⁴²² PHEME PERKINS, "The Letter to the Ephesians", in *The New Interpreter's Bible: A Commentary in Twelve Volumes, Vol. XI*, ed. Walter Harrelson (Nashville, TN: Abingdon Press, 2000), 351-466, 435.

⁴²³ Wood, "Ephesians", 47-48.

⁴²⁴ Paul uses the term *mataiotēs* which is sometimes associated with idolatry [*ibid.*, 62].

⁴²⁵ *Ibid.*

Therefore, putting away falsehood, let every one speak the truth with his neighbor, for we are members one of another. Be angry but do not sin; do not let the sun go down on your anger, and give no opportunity to the devil. Let the thief no longer steal, but rather let him labor, doing honest work with his hands, so that he may be able to give to those in need. Let no evil talk come out of your mouths, but only such as is good for edifying, as fits the occasion, that it may impart grace to those who hear. And do not grieve the Holy Spirit of God, in whom you were sealed for the day of redemption. Let all bitterness and wrath and anger and clamor and slander be put away from you, with all malice, and be kind to one another, tenderhearted, forgiving one another, as God in Christ forgave you. Therefore *be imitators of God, as beloved children*. And walk in love, as Christ loved us and gave himself up for us, a fragrant offering and sacrifice to God. (Eph 4:25 – 5:2, emphasis added)

Paul's conception of mimesis in this context illustrates the accuracy of the Girardian hermeneutic. First, we note Paul's emphasis on relationality as he extols the Christian attitude towards others. This relational attitude is free from all elements of rivalry such as duplicity, slander, misappropriation of the neighbour's goods, bitterness, revenge or malice. The Christian, instead, is to seek the advantage of the other by truthfulness in speech, honesty in work and open-handedness towards the needy, along with kindness, tenderheartedness and forgiveness. Secondly, we observe the spiritual dynamic that propels the outworking of this new "imitation" as the very antithesis of acquisitive mimesis. Through the operation of the Holy Spirit, the "new man" comes to recognize a new model or mediator, Christ, who arouses in human experience a new mimesis which totally subverts the "old". Once the believer is no longer identified with sin but with Christ, the "old" dies and a new desire oriented towards God and his reign mediated through Jesus Christ pervades the life of the believer.

The Cross: Antidote to Rivalistic Mimesis

From the preceding analysis of Paul's view of mimesis and its christological foundation, we note that Paul is not exhorting the believers to imitate the historical Jesus. Rather he urges them to live in the daily experience of a "crucifixion" of the cravings which would produce the fruit of rivalistic desire.

Those who indulge their natural propensities deny the Crucified. They will fall back into rivalry and divide the community. Those who crave status cannot do what Paul demands, namely, "in humility count others better than yourselves" (Phil 2:3). Those who boast of accomplishments are incapable of identifying with the

weak and the vulnerable. Those who do not become like the innocent Victim will forge a distorted identity based on the rivalistic impulses of envy and the exclusion of others. In short, for Paul the Cross is the antidote to poisoned relationships based on rivalry. Accordingly, his entreaty to his readers to enter into a new mimesis flows from an embrace of the Cross not as a form of external mortification but as an inward renunciation of those impulses that resist the self-effacement that is inherent in allegiance to the Crucified. In a famous passage, he writes: “For the sake of Christ then, I am content with weaknesses, insults, hardships, persecutions, and calamities, for when I am weak then I am strong” (2 Cor 12:10). Such a disposition of “weakness”, which the identification with the Crucified infuses in the believer, leaves no room for rivalry. Those who are content to live in this “weakness” are not only able to sympathize with those who suffer but also exemplify the essence of the new life by considering the interests of others above their own.

Let me summarize the foregoing discussion of Paul, in preparation for the following reflection on intra-divine relationality. We note that mimetic desire is insatiable and without limit, a striving after transcendence. The indeterminacy of this desire does not distinguish between “having” and “being”, although it seeks to secure the latter by means of the former. Mimesis is more than imitation in the strict sense. Even in rivalistic mode its underlying striving is the basis of all self-transcendence, including the transcendence of desire itself. For this transcendence is to occur, the “default setting” of desire needs to be inverted. Acquisitiveness needs to be transmuted into open receptiveness, and grasping needs to give way to a “beholding”. As long as human desire seeks to possess what is perceived as filling up an existential neediness, human beings remain incapable of receiving love, openly and freely. Conversely, such “gratuitous receiving” is by no means a state of inner passivity, for even the gift of grace must be positively accepted. Further, when the structural openness of mimesis is presupposed, it throws light both on why humans are so susceptible to the influence of others and on their potential for genuine accessibility, artless simplicity and childlike trust. Here we touch on that incommunicable core of the person, that inmost depth from which arise true human longings for life and love.

We have reached the point at which a more nuanced theological exploration of the meaning of human mimesis may be possible by pursuing the question whether the notion of pure mimesis can have a place in the way we conceive of God as a communion of Life and Love.

THE TRINITY OR THE DOXOLOGICAL GROUND OF MIMESIS

As the history of theology shows, any attempt to reflect on God's intra-divine relationality poses complex semantic and epistemological issues. Here, I must limit myself to making connections between mimetic anthropology and some examples of recent trinitarian theology. I will not attempt a comprehensive analytical exposition but confine the exploration to setting side by side three quite different trinitarian approaches.⁴²⁶

The idea that the Trinity might be conceived as a *mimetic* community of Love has been pursued quite explicitly by James Alison in his *Joy of Being Wrong*. While his primary focus is not the Trinity but the doctrine of Original Sin, his trinitarian approach witnesses to the continuing theological fruitfulness of what is termed the "psychological analogy". In this regard, he suggests a multi-dimensional relationality as a more adequate trinitarian analogy than the traditional analogy of "persons" in hypostatic relations.⁴²⁷

The late Raymund Schwager, whose dramatic theology we will encounter more fully in Chapter 7, has presented in his *Jesus in the Drama of Salvation* an

⁴²⁶ Although two of these (David Coffey and H. U. von Balthasar) have rejected the traditional psychological analogy, the analogical imagination has its merits. Analogy answered the question which Thomas Aquinas and Augustine before him had asked as to which aspects of human experience offer (albeit imperfect) comparisons for an understanding of the Trinity. It helped to elucidate the divine Being whose self-disclosure is expressed in the biblical data. Analogy works because of the proportionality present in the attempted comparison: something is similar but also dissimilar. On the one hand humans correspond to God because they are his creatures. On the other, God is the incomparable other who is ontologically different. Hence the analogical method speaks from the creature's point of view about "knowing God" (analogically) while asserting in the same breath that God is unknowable. It speaks meaningfully (with qualifications) about God by endorsing a method of signification without being able to fully delineate the reality that is being signified. (See also Catherine Mowry LaCugna, *God for Us: The Trinity and Christian Life* [San Francisco: Harper Collins, 2000], 330).

⁴²⁷ Alison, *Joy of Being Wrong*, 49-53.

attempt to unite biblical and systematic theology in an overall view of the doctrine of redemption. He is primarily indebted to two thinkers, René Girard for the victimage mechanism at work in the death of Christ (Schwager endorses Girard's underlying anthropology, but not necessarily all of his theological conclusions), and Hans Urs von Balthasar for his dramatic conception of theology. However, in his treatment of the Trinity, Schwager departs from von Balthasar to follow David Coffey, an outspoken critic of the latter. In order to give breadth to our inquiry into mimetic allusions, I shall probe the models of Coffey and von Balthasar in addition to Alison's trinitarian model (with his obvious Girardian leaning).

Mimesis and the Analogical Imagination – James Alison

Alison begins his reflection from a dogmatic perspective, but later anchors it in the Gospel narrative as he teases out the changing understanding of God among the apostolic group after the resurrection of Jesus. This shift in understanding, he argues, involved a complete undoing of what the group around the apostles had thought about God and about human beings in relation to God. Alison calls this emerging consciousness "the intelligence of the victim", which becomes the determining factor behind the actions and articulations of the first post-resurrection community.⁴²⁸

Until the resurrection of Jesus, death represented the defining datum and limit of the human story. Death colored every aspect of life and culture. But the vision of the crucified and risen Jesus offered a new hermeneutic, not only for the understanding of the Scriptures of Israel⁴²⁹ but also for human existence as a whole. Until the resurrection, Jesus' followers possessed little comprehension of God's salvific plan, as the Gospels repeatedly stress.⁴³⁰ Only in the light of the resurrection were they able to see the life and death of Jesus from another perspective altogether. Not only did this new understanding mean the deconstruction of the principles that had heretofore governed their lives, namely acquisitive desire with its resulting

⁴²⁸ Alison, *Joy of Being Wrong*, 81.

⁴²⁹ Alison refers to the Old Testament as the "Hebrew Scriptures". To clarify: they constitute an inspired and inseparable part of the Christian Bible and were written both in Hebrew and Aramaic (and in Greek as LXX).

⁴³⁰ Cf. Mk 9:30-32; Lk 9:44-45; Jn 10:1-6; 12:12-16; 20:19-20.

rivalry, but it also meant the re-constitution of their way of thinking and being. Death was no longer the defining limit. Jesus' followers were now able to see now everything from the "insider's view", that is, from the viewpoint of the risen victim. Another crucial dimension of the reality of Jesus' life, death and resurrection also became clear: the one who all along had been the motive force of Jesus' life and mission was the Father, while Jesus himself, as the unique and beloved Son, was the Father's *eikon*, or perfect imitation.

Alison arrives at this understanding through a Girardian interpretation of both the biblical data and the dynamics inherent in human existence. Personhood is presented, not as "punctual" or static, but more as a holistic and developmental *Gestalt*. Human persons are "being brought into, and maintained in being by another anterior to ... [them] and to whom ... [they are] constantly related".⁴³¹ Following Jean-Michel Oughourlian, Alison posits a new analogate referring to "holons" rather than "persons".⁴³² Holons are perceived at the human level as psychological entities reciprocally constituting each other's existence by modes of interaction and continuous exchange. They are *interdividual* selves whose existence is not disclosed by introspection but in "mimetic rapport".⁴³³

Alison appeals to this notion of the relational self as a key analogy for trinitarian theology. He approaches the trinitarian mystery in this way: God the Father is the origin of all desire, unoriginated love and pure giving. And, since there is no other source of desire either human or angelic, the Father is beyond all rivalry.⁴³⁴ Alison writes,

The Father loves his image, his likeness, one who is exactly like him in all things except being unoriginated. The Son is not unoriginated, because that would give two origins, and unoriginated giving can only be one, beyond number. He is not exactly unoriginated either for he shares completely in the pure gratuitous givenness (itself originated) of the Father. He receives it completely, because he is the exact image

⁴³¹ Alison, *The Joy of Being Wrong*, 50.

⁴³² *Ibid.*; also Oughourlian, *Puppet of Desire*, 16-17.

⁴³³ Alison, *The Joy of Being Wrong*, 51. In the language of organic systems the notion of mimetic rapport may be equated to the mechanism of "adaptive resonance" which is achieved through a loop of generative reciprocity between initiating and responding elements such that each functions in a mode of perpetual perception of and (rapt) attention towards the other.

⁴³⁴ *Ibid.*

and likeness of the Father, able therefore to receive the Father and, as a perfect likeness, completely reciprocate the giving.

Alison continues,

The holon Father and the holon Son are therefore constituted by a *rapport interdividuel*, [which is also a holon] called the Holy Spirit. This is the unoriginated love giving and imitating that giving (reciprocating that love) fully and perfectly and simultaneously.⁴³⁵

In keeping with traditional theology, Alison invites us to understand this reality of God spiritually. In the generation of the Son, God the Father is not to be understood to produce a creature in an Arian sense. Alison is equally careful to avoid any modalistic implication, as though God were differentiated in reaction to an external stimulus, or in regard to successive temporal phases. Instead, he regards the divine persons as inner realities that belong to God *in se*. In other words, this intra-trinitarian “mimesis” is to be understood in terms of immanent acts of the divine transcendence. The unoriginated love of the holon “Father” generates the holon “Son” and their *rapport interdividuel* flows as perfect mutuality whereby the Father’s giving (of the Son) and the Son’s imitation (of the Father) are the same thing, so that all share in the same giving, except that the Son and the Holy Spirit are not unoriginated origins.⁴³⁶

The key to a trinitarian understanding of holon is the idea of imitation that allows for no difference between holons and is thus perfect and free from any “over and against”. It only knows the “distinctness” that comes from acceptance and enjoyment of giving. These divine holons, Alison argues, “constantly foster and cherish one another in ever more joyous imitation of radical self-giving to the other”. He is convinced that his analysis is able to “bear the full weight of the Church’s doctrine on the Trinity at least as well as ‘person’ ... with fewer misleading connotations”.⁴³⁷

⁴³⁵ Alison, *The Joy of Being Wrong*, 50.

⁴³⁶ *Ibid.*, 52.

⁴³⁷ *Ibid.*, 53.

Alison thus presents the dynamism of inner-trinitarian mutuality as mimesis between holons. It is giving and receiving, knowing and being known, loving and being loved, surrender and attraction. This is a recognizable feature of the Augustinian/Thomist tradition of trinitarian theology. Though there is no implication of a “state of becoming” within the Trinity, contemporary theology, as Kelly has noted, takes advantage of a certain “holographic development in our theological understanding and in our capacity to express what has been understood”.⁴³⁸

The Mutual Love Theory – David Coffey

We begin with a brief description of Coffey’s model and nomenclature. While Coffey admits that the traditional psychological analogy has some merit, he (like von Balthasar) rejects metaphysical categories. Instead he looks for his starting point at the trinitarian structure in the scheme of salvation.⁴³⁹ He is convinced that the biblical data permit a more comprehensive trajectory than the traditional taxis of Father > Son > Spirit. Schwager, too, notes that this traditional model does not explain the reciprocal behavior between the Father and the Son that is evident in the biblical data.⁴⁴⁰ Coffey calls this model the “model of mission” which at the level of the immanent Trinity becomes the “model of procession”. However, since this is not the only model to which the New Testament data point (particularly in the Synoptic Gospels), he posits a second, complementary model with the taxis of Father > Spirit > Son > Spirit > Father. While this model has been known since Augustine and Richard of St. Victor, it has been largely ignored in systematic theology.⁴⁴¹

⁴³⁸ Anthony Kelly, “A Multidimensional Disclosure: Aspects of Aquinas’ Theological Intentionality”, *The Thomist* 67 (2003), 235-74.

⁴³⁹ David Coffey, *Deus Trinitas: The Doctrine of the Triune God* (New York; Oxford: Oxford University Press, 1999), 148. Coffey employs Lonergan’s three-layered epistemology, arguing that doctrinal thinking moves from the encounter with God in the biblical data (‘experience’ in Lonergan) to an ontological articulation (‘understanding’) and returns with a deepened grasp to the biblical data which becomes in trinitarian reflection the “economic” Trinity (‘judgment’).

⁴⁴⁰ Schwager, *Jesus in the Drama*, 211. He observes: “The particular difficulty with the procession and mission model is that the Holy Spirit proceeds from the Father and the Son as a single principle” (*ibid.*, 212).

⁴⁴¹ Schwager makes a similar point when he says that because the Spirit was sent after the incarnation, crucifixion and resurrection, traditional theology has always seen the Holy Spirit as operating ‘after’ the Son as far as salvation events are concerned and that this sequential thinking has influenced traditional theology in the way inner-trinitarian relations were perceived. But the Spirit plays a much more prominent role not only at Pentecost but during the entire mission of the Son, as such passages

Because the Holy Spirit is bestowed by the Father on the Son and by the Son on the Father, Coffey calls this model the model of “mutual bestowal”.⁴⁴² At the level of the economy, it is the “model of return”, for it is concerned with the return of the Son in the Holy Spirit to the Father. While the procession model grounds the distinction of the “persons”, it is the return model which, at the level of the immanent Trinity, becomes the “distinction model” that illuminates their relations and grounds their union with each other in a dynamic equilibrium. For Coffey, the procession model is inadequate because it “remains unincorporated into a larger and altruistic project of other-directed love”.⁴⁴³ In short, it cannot answer the question with whom God, as Be-ing-in-Love, is in Love, except in a narcissistic way. The two complementary models may be summarized as follows.⁴⁴⁴

Mission/Procession Model

- Outward movement of Son and Holy Spirit
- Presents Trinity *ab extra*, but alludes to Trinity *ab intra* (see below)
- Partial
- Descending theology (from above)
- Unfolding of unity into diversity
- Appeals to Western thought

Return/Distinction Model

- Concerned with Son’s return to the Father; presupposes the mission/procession model
- Trinity *ab intra*
- Comprehensive
- Ascending theology (from below)
- Model of union and relations
- Corresponds to Eastern emphasis

With this understanding of Coffey’s nomenclature, we turn to the main point of our inquiry, his conception of inner-trinitarian relationality. He writes,

as Mk 1:1-11,12 ff and parallels; Isa 61:1ff; Lk 4:16-21; Acts 4:27, 10:38; Rom 1:4; 1 Pet 3:18 show. Because the perspective that the Spirit operated only *after* the resurrection was too one-sided, contemporary trinitarian theology has begun to address it, e.g. Coffey (Schwager, *Jesus in the Drama*, 210).

⁴⁴² This is not to say that two origins are attributed to the Holy Spirit.

⁴⁴³ Coffey, *Deus Trinitas*, 60.

The initial personal love of the Father for the Son is identical with the Father's own person. Similarly, the purely personal answering love of the Son for the Father would be identical with the Son's own person, were it not for the fact that in the meeting of the two loves, their mutual love, the objectivization that takes place becomes a reality that transcends its constituent elements, that reality being the Holy Spirit proceeding from the Father and the Son.⁴⁴⁵

Coffey locates the Holy Spirit in the *mutual love* between the Father and the Son. However, what points most promisingly to our hypothesis is the circularity of this love. As mutual love, this love is "a double bestowal", both "simultaneous and coincident" with, and yet predicated on the priority of, the Father's bestowal to which the Son's love is always the perfect response, and it is in that response that this love becomes mutual.⁴⁴⁶ Put another way, it is the Father's love that calls forth the Son's love in response to the Father's personal bestowal of himself. In his response the Son's love and the Father's love become one love, yet without exchange of roles in giving and responding, because the Son forever "draws his entire existence from the Father and hence remains always in an attitude of response to him".⁴⁴⁷

Coffey sees very clearly, though, that the Son's response is also *his* own giving as he bestows *his* love upon the Father, which is the return of the Spirit to the Father. In the perfect adaptation of Father and Son to each other, they each "breathe" the Holy Spirit as their mutual love, although they always remain distinct in the act of their bestowal.⁴⁴⁸ These acts may also be understood as absolute reciprocal self-communication as each bestows on the other everything that they are, yet remaining

⁴⁴⁴ Coffey, *Deus Trinitas*, 43-52. According to Coffey, the dogmatic intent of the Filioque typified in Western theology by Augustine and Aquinas belongs to the procession model (*ibid.*, 47).

⁴⁴⁵ Coffey, *Deus Trinitas*, 50.

⁴⁴⁶ Coffey distinguishes between two stages in the Trinity, "in the process of becoming" and "already constituted" which are necessary because both the Son and the Holy Spirit draw their origin from the Father. But this "prevenient" bestowal by the Father is "only formal". Once the mutuality of love is established "it [the prevenient bestowal] plays no further role". In the same breath, Coffey admits that "this distinction cannot be real in God in whom there is no succession in time. His being is paradoxically eternally the same and yet dynamic" (Coffey, *Deus Trinitas*, 51). Yet, in the process of generation one cannot speak of giving and receiving but of "generation and being generated" (Schwager, *Jesus in the Drama*, 214).

⁴⁴⁷ Coffey adds, "... admittedly this response is also giving, that is, the bestowal of the Holy Spirit, the return of the Spirit to the Father" (*ibid.*, 51).

⁴⁴⁸ Coffey, *Deus Trinitas*, 58.

who they are in the absolute freedom of their eternal personhood.⁴⁴⁹ Schwager's comments are instructive at this point.

The model of reciprocal bestowal proves, then, well suited to bringing out the innermost dimensions of the dramatic salvation event. At the same time it becomes clear how reciprocal love flows into such an event of release that we can no longer speak of two acts in opposing directions, from Father to Son and from Son to Father. Each one lets go of his love as his own in favor of the other, so that this love can be constituted as one common love and can become a person ... The Holy Spirit is pure letting go ... Communication takes place at the level of these persons and their free existence and not at the level of one essential being.⁴⁵⁰

If the Holy Spirit is the transcendental love of the eternal Son for the Father, the intimate love between the Father and the Son in the freedom of the Holy Spirit points, on the level of the economy, to a parallel and identical movement: the Son's perfect "answering love" culminating in Jesus' self-emptying in his mission as he willingly surrenders to the Father. Moreover, Jesus, in the incarnation, is ontologically identical with the eternal Son who perfectly receives the self-communication of the Father. From this Coffey concludes that Jesus' divinity is the same as that of the eternal Son.⁴⁵¹

The Inner-Trinitarian Event – Hans Urs von Balthasar

Von Balthasar's work belongs to a recent development in Catholic theology which in its treatment of the Trinity rejects the classical Latin starting-point. Anne Hunt notes that a "sophisticated critique of the Augustinian/Thomistic trinitarian theology pervades ... [his] work".⁴⁵² While von Balthasar's approach may be loosely grouped

⁴⁴⁹ Schwager offers an insightful amplification of this freedom in the context of absolute self-communication. "The Father releases from the ultimate depth of his person the Son, and the latter is entirely constituted by what he receives. Despite this, the two of them do not become absorbed into the event. The Father is not dialectically transformed into the Son, so that he ceases to be the Father, nor does the Son change back into the Father. Although the Father gives everything, he remains distinct from what he gives, and although the Son receives everything, he remains equally distinct from the giver" (*Schwager, Jesus in the Drama*, 213).

⁴⁵⁰ *Ibid.*, 216.

⁴⁵¹ *Ibid.*, 216-17.

⁴⁵² Anne Hunt, "Psychological Analogy and Paschal Mystery in Trinitarian Theology", *Theological Studies* 59, no. 2 (1998): 197ff; also by the same author *The Trinity and the Paschal Mystery: A Development in Recent Catholic Theology*, New Theological Studies, vol. 5 (Collegeville, Min.: The Liturgical Press, 1997). Anne Hunt's study, particularly its section on von Balthasar, has greatly eased the task of navigating the volume and complexity of von Balthasar's thought as he connects the paschal mystery to the Trinity.

among the “social models” of trinitarian theology, it is his doxological emphasis that concerns us in the present context.⁴⁵³

Von Balthasar’s project aims to acknowledge the dramatic character of trinitarian revelation as it culminates in the paschal mystery of Christ’s death, descent and resurrection. Von Balthasar asks whether God can stand on the periphery of the “play” (theo-drama) or whether he must be at its centre. Supposing this latter alternative, can it be established that God’s triune life, which is the archetype of all being and hence of all history, finds expression as the play unfolds, and “be mirrored there”?⁴⁵⁴ Von Balthasar addresses such questions in the light of the pathos of the Old and New Testament witness.

What sets him apart from and at odds with Coffey, and with the Augustinian/Thomist starting-point in trinitarian theology, is his view that “God is known in the true dimension of his love, not by analogy, but in the contradiction of the Cross ...” which von Balthasar sees as a kenotic outpouring of divine love.⁴⁵⁵ And further, “an essentialist ontology even if complemented by an understanding of the Three as subsistent relations simply fails to convey adequately the sheer glory of the divine being revealed in the paschal mystery.”⁴⁵⁶

Von Balthasar works, however, within the traditional procession model. This implies an eternal movement in God which von Balthasar calls “the eternal event of divine processions”.⁴⁵⁷ It encompasses not only the possibility of the incarnation and the paschal mystery, but also of all creation in its contingency and in God’s dramatic relation to it.

⁴⁵³ Seeing the glory of Jesus Christ in the paschal mystery is the same as beholding the icon of the triune God. Hence, no analogy can compare with the revelation of this inner-trinitarian love and the relationality of God’s being.

⁴⁵⁴ Hans Urs von Balthasar, *Theo-Drama: Theological Dramatic Theory*, trans. Graham Harrison, Vol. III, the *Dramatis Personae: Persons in Christ* (San Francisco: Ignatius Press, 1992), 505.

⁴⁵⁵ von Balthasar, *Theo-Drama*, Vol. IV, 322.

⁴⁵⁶ Hunt, *Trinity and Paschal Mystery*, 57.

⁴⁵⁷ Hans Urs von Balthasar, *Mysterium Paschale: The Mystery of Easter*, trans. with an Introduction by Aidan Nichols (Edinburgh: T & T Clark, 1990), viii.

That God (as Father) can so give away his divinity that God (as Son) does not merely receive it as something borrowed, but possesses it in the equality of essence, expresses such an unimaginable and unsurpassable 'separation' of God from Godself that every other separation (made possible by it!), even the most dark and bitter, can only occur within this first separation.⁴⁵⁸

As the Father brings forth the Son's consubstantial divinity, the Father "empties himself" of what is his own. In this *kenosis*, the separation and union of the paschal mystery is grounded in this primordial "supra-temporal" inner-trinitarian event. Since God "has nothing apart from what God is",⁴⁵⁹ the Father's *kenosis* expresses from all eternity a radical openness in which every possible unfolding of the drama between God and the world is already allowed for and transcended, including the possibility of sin. Von Balthasar explains:

We are saying that the 'emptying' of the Father's heart in the begetting of the Son includes and surpasses every possible drama between God and the world, because the world can only have its place within the difference between the Father and the Son which is held open and bridged over by the Spirit.⁴⁶⁰

In the radical self-giving of the Father, all the "modalities of love" are contained. These include both the interpersonal kenotic relations within the Godhead and the Son's suffering, death and separation from God as they are experienced in the incarnation, crucifixion and descent into hell. The idea that all forms of *kenosis ad extra* are contained within the primal *kenosis ad intra* runs like a refrain through von Balthasar's work. This suggests, according to Hunt, that the inner-trinitarian event "expresses the divine essence as constituted by this eternal relational process of reciprocal self-surrender, this unceasing giving and receiving, offer and response between the divine persons".⁴⁶¹

⁴⁵⁸ Hunt, *Trinity and Paschal Mystery*, 60, citing von Balthasar from the German original *Theodramatik III, Die Handlung* (Einsiedeln: Johannes Verlag, 1980), 302.

⁴⁵⁹ von Balthasar, *Theo-Drama*, Vol. III, 518.

⁴⁶⁰ von Balthasar, *Theo-Drama*, Vol. I, 20.

⁴⁶¹ This notion also pervades von Balthasar's interpretation of the Cross which he understands as mutual self-surrender. The Cross is the place where God's love and justice coincide (*contra* Coffey and Schwager). According to von Balthasar, even sin and its consequences are included in the "space" that the self-emptying of the Father "opened" in himself; and that the obedience of Jesus is the freedom of the eternal Son who lays his life down in love for the Father. Because the Son's mission and Person are identical, his action in the economy "represents the kenotic translation of the eternal love of the Son for the 'ever greater' Father" (Hunt, *Trinity and Paschal Mystery*, 60).

Some striking parallels between our understanding of mimesis and von Balthasar's meta-theological proposal are not difficult to see. Since he argues that the divine self-opening embraces all possibilities and contingencies of the world and God's dramatic and loving relation to it, his position throws light on the character of the trinitarian mimesis considered above. The openness of limitless desire in accord with the Other in the exchanges of trinitarian life are the eternal condition of God's creative openness to the world and of the divine ability to engage in loving relationships with what is other to the point of self-surrender.

CONCLUSION

In this chapter, I have focused on a multi-dimensional, theological grounding of human mimesis in God's self-revelation in relationship to humanity understood as God's representative and co-creator.

In a survey of allusions to human mimesis in the Genesis account it was noted that the theological intuition behind the "image of God" bears on the dynamics of mimesis inherent in reciprocity of relationships between the Creator and the creature. Human mimesis may therefore be regarded as a constitutive part of God's creative plan for the fulfilment of the human in its mediatorial and representative role. In other words, mimesis and representation go hand in hand. It is a gift of the Creator to his creature and touches on the purpose of human personhood. It inspires in the human person the kind of learning and acting demanded in the vocation to be God's counterpart. When human existence expresses itself in speech and song joyously resonating with the Creator's benevolent intention in every aspect of creation, it fulfils its calling and does so mimetically. In this light, human personhood cannot be understood in an external and static fashion.⁴⁶² Nor, at the other extreme, is human existence totally self-determining and autonomous. In another way, the inner core of fundamentally God-oriented beings consists of a

⁴⁶² See the "interindividual" psychology developed by Ourghouliau (following Girard), according to which the principle of mimesis is ontologically grounded in creation and governs the genesis of holons (Ourghouliau, *Puppet of Desire*, 16-17).

divinely ordained indeterminacy that longs for further determination by means of a Spirit-guided mimesis.⁴⁶³

Next, we surveyed the life of Jesus for mimetic clues. We saw how his life and mission were structured mimetically through his unreserved conformity to the Father's will. This christological note reinforced the perception that mimesis belongs to humanity as a distinctive element to which the creation account and the humanity of the incarnate Son bear testimony. This was further evidenced in a number of key passages drawn from the Pauline correspondence. Paul uses mimetic terminology, and intensifies it in his treatment of kenotic models, referring, for instance, to himself as "a libation poured out ..." (Phil 2:17; 2 Tim 4:6). In two cases the exhortation to imitate is specifically offered as the moral antidote to mimetic rivalry, that is to say, as a remedy to relational disorder. Christ's self-giving love is the exemplar at the heart of Christian existence as the apostle presents it.

In the trinitarian section we presented a more nuanced, specifically theological understanding of human mimesis. Three models of inner-trinitarian communion were briefly examined: Alison's "holographic" model, Coffey's "return model" and von Balthasar's "inner-trinitarian event" model. The following points stand out.

Broadly speaking, in all three proposals an interpersonal dynamic vision with emphasis on perichoretic exchange is undeniable. Each in its own way speaks of differentiated inner-trinitarian movements characterized by reciprocal giving and receiving, by mutual self-communication, desiring and bestowal of "interdividual" triune love for which "mimesis" may be a fitting analogy. A trinitarian ontology of mutual love illuminates a theology of human mimesis for at least three reasons:

- Coffey's ontological presentation of the divinity of Jesus can be effectively linked to the role of mimesis in Jesus' life and ministry (see Christological section). Thus, what is incarnate in Jesus Christ is eternally verified in the Godhead itself.

⁴⁶³ Schwager puts it well when he writes, "Life in faith does not mean playing a role which is strange, but being addressed by the role (mission) in the indeterminacy at the center of one's person and challenged to a new self-determination and freedom made possible by the Holy Spirit" (Schwager, *Jesus in the Drama*, 220).

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- Von Balthasar's vision of the Father's radical self-dispossession in a supra-temporal, inner-trinitarian event may be effectively linked with the *imago Dei*. In that case the structural "openness" and the "desire according to the other" of human mimesis can be thought of as originating in that exemplary event.
 - The mimetic character in Pauline theology provides solid clues for an integration of mimesis with human morality as conformity to God and Christ.

Von Balthasar's "event model" also supports an understanding of the nature of love "not just to give love, but to create the space for its reception".⁴⁶⁴ For his part, Alison treats of "the intelligence of the victim" in such a way that it can be understood as the effect of divine love creating room in conflict-laden human consciousness such that human self-assertive addictions give way to an existence characterized by "gratuitous" receiving and giving of love.

Coffey's model of "mutual bestowal" introduces also a doxological note. Mimesis exists as a structure of empowerment for worship, that is, the bestowal of worth and love.

This brief summary of the main points covered so far leads to the following concluding remarks. Girard's contemporary understanding of mimesis as openness to the world seems to support a version of a longstanding Christian intuition. For example, Pascal spoke of the "God-shaped vacuum in the heart of man that only God can fill". Human mimetic desire, indeterminate in its longing and aspiration, awaits a final conformity to the divine as its fulfilment. In this regard, mimetic openness has its origin in the heart of the inexhaustible, self-communicative love of the Three, particularly in the primordial self-emptying of the Father.

As a result of a divine gift, human beings, despite and even within their entangled historical experience, are in the final analysis more determined by a yearning for wholeness than by rivalistic distortions. If love creates the space for its reception, and if mimetic "openness" is understood as the structure of receptivity,

⁴⁶⁴ Damien Casey, "Luce Irigaray and the Advent of the Divine: from the metaphysical to the symbolic to the eschatological", *Pacifica*, vol. 12 no. 1 (Feb. 1999), 27-54.

then this space anticipates the fulfilment of which the *pleroma* of Biblical promise (Col 1:27; 2:9) speaks. In other words, Christian hope lives from the assurance that humanity's deepest longings are not in vain.

However, because of the presence of evil, the “abundant life” which Jesus promises (Jn 10:10) is lived in time under the Cross as *sacrificial* love. Only redemptive suffering in the face of evil makes sense of the human story. In a dramatic perspective, human “openness” is thus the “space” in which the divine/human drama is being played out as humanity is invited in Christ to participate mimetically in the perfect community of God. Kelly refers to this community as “Be-ing-in-love” by which he means not only the transcendent Being in love with himself, but a “communion in self-giving”. In other words, divine life is understood as being incorporated into the altruistic project of God's “self-transcendence toward the world”. This understanding lays the ground for a transposition of the doctrinal formula that “God is love” to the phenomenological affirmation of Christian faith experience as communion. As a psychological movement this experience calls for an enabling universal structure within the human creation that makes such an experience possible.⁴⁶⁵

According to our hypothesis, this structure is given in the form of mimesis and has its origin within the infinite transcendent reality of the Creator. Mimetic desire can, therefore, never be satisfied at the finite, material, sensual or political level. As humanity's ultimate longing is grounded in the loving community of the Three, it cannot reach its transcendent end through rivalistic striving. Such desiring must first be dispossessed of its illusionary drive for autonomy, a process that poses formidable spiritual challenges, as we shall see in Chapters 6 and 7.

This chapter has tried to present certain data of Christian faith and relate them theologically to the reality of mimetic desire. To the degree that our thinking unfolds within the horizon of faith, our paradigm of the world around us shifts. We begin to “detect the trace of the divine three in the universe”, and in ourselves. In God's

⁴⁶⁵ Anthony Kelly, *The Trinity of Love*, [New Theology Series, vol. 4] (Wilmington, Del.: Michael Glazier, 1989), 147-49.

creation we live out a “gifted existence intrinsically marked with its trinitarian origin and destiny”.⁴⁶⁶

Against the background of such an exalted vision of humanity, I will consider in the next chapter the outworking of mimetic perversion, its implications for humanity as a whole and specifically for the relative impotence of the human rights project to rectify this fundamental disorder.

⁴⁶⁶ Anthony Kelly, “A Multi-Dimensional Disclosure: Aspects of Aquinas's Theological Intentionality”, *The Thomist* 67 (2003), 335-74.

CHAPTER 6

VIOLENCE AND THE PERVERTED IMAGE OF GOD

INTRODUCTION

Previous chapters have attempted an anthropological analysis of the human condition. Mimetic theory was capable of critically examining not only the politics of cruelty and violence but also the human rights project itself. Now, in this chapter, we go further.

Christian theological tradition insists that the personal and social realm of the human species is no longer what it was created to be. Although created in God's image and therefore "very good", humanity is "fallen" and estranged from God. This chapter will extend the discussion by means of a theological analysis of the reasons that human sociality is so often resistant to the "spirit of brotherhood".⁴⁶⁷ I hope to show that the malfunction of human sociality is image-related. It inheres in a perverted view of God that casts the Creator into the image of an envious rival. I will also argue, again on the basis of mimetic theory, that this perverted image has corrupted the personal and structural dimensions of human sociality of which the so-called "human rights crisis" is but a contemporary manifestation.⁴⁶⁸

Estrangement from God, or "sin", is not a popular topic.⁴⁶⁹ A pluralistic culture glosses over and deliberately suppresses this reality that confronts us on a daily basis. Yet, this doctrine is the one aspect of Christian faith that is empirically

⁴⁶⁷ UDHR, Article 1 (see Appendix 1).

⁴⁶⁸ The Report of the UN Secretary-General's High-level Panel on Threats, Challenges and Change, *A More Secure World: Our Shared Responsibility* (United Nations, 2004) lists the following clusters of threats and challenges which make up to a large measure what I have called the "human rights crisis": war between States; violence within States including civil wars; large scale human rights abuses and genocide; poverty, infectious disease and environmental degradation; nuclear, chemical and biological weapons; terrorism; transnational organized crime (*ibid.*, "Executive Summary", 2).

⁴⁶⁹ It is outside our scope to discuss either the development of the doctrine of original sin or whether the first sin was also the originating sin, or whether the first falling away was human or angelic.

most verifiable by simply reading the newspaper or watching TV.⁴⁷⁰ To be sure, it challenges our fondest illusions of autonomy, control and moral rectitude. More significantly, the doctrine of human sinfulness accounts for our intractable bias towards our shadow, explains the experience of radical evil, and addresses the question why even our best efforts towards the ideal carry already the seeds of their decline. I contend that an analysis of the human rights crisis must take into account realms of the spirit and of faith that the literature has so far largely ignored. But before proceeding, I want to close a methodological gap left open for tactical reasons in Chapter 3.

MIMETIC THEORY AS BIBLICAL HERMENEUTIC

Girard's theory is able to shed new light on Biblical texts. The meaning of certain Biblical themes which Christian theology up until now could never adequately explain, such as violence, aggression and sacrifice, becomes clear when read through the Girardian lens. Speaking of his methodology in this regard, Girard writes:

I believe ... that the end of philosophy brings with it a new possibility of scientific thinking within the human domain; at the same time, however strange this may seem, it brings with it a return to religious faith. The Christian text returns in a completely new light—not at all buttressed by some existing science that would be exterior to it, but as incidental with the knowledge of man that is surfacing in the world today.⁴⁷¹

Here Girard claims that his theory is both “scientific” and “religious”. He claims that it is scientific because it is concerned with a rigorous application of the victimage mechanism. It is religious, because it unveils the root of human mythmaking, religion and culture. This dual thrust discloses humanity's entrapment in mimetic reciprocity on the one hand and the possibility of its liberation through the “unveiling” of this condition on the other. The truth of our mimetic predicament

⁴⁷⁰ A sample of recent headlines in the New York Times (26 December 2004) tells its own story about the deep divisions and violence of the world: *Bitter Divisions Rife in Ukraine as Voting Nears*; *Remembering the Dead and the Horror of Mosul*; *Gunmen Kill 28 on Bus in Honduras*; *U.S. Can Beat Insurgents, Rumsfeld Tells Troops*; *Memorial to Berlin Wall Victims Divides the City Again*; *\$6.3 Million to Be Paid to Settle Abuse Case* (in Catholic boys school); *China's Elite Learn to Flaunt It While the New Landless Weep*; *Play Furor Exposes Deep Rifts in Britain*.

⁴⁷¹ Girard, *Things Hidden*, 438.

and our liberation from it is, according to Girard, precisely the message of the Biblical text as we find it in the Gospels.

However, these two claims have proven controversial, even among Girard's followers. Bartlett, for instance, has noted that, because the mode of Christian discourse is primarily persuasion and proclamation, "it would be a serious mistake" to consider Girard's anthropological underpinning of Christian doctrine "scientific". He writes: "Biblical faith is almost as a matter of definition a pathway where at a certain moment all reference points disappear and the journeyer is asked to continue purely on trust". He adds that the attempt to turn it into "scientific objectivity would create a monstrous hybrid".⁴⁷² Oberhofer raises another fundamental question. Because of Girard's reliance on texts for the description of life situations on which his theory is based, he asks how an anthropology that only knows "the imitation of desire" may be reconciled with a Christian view that posits "freedom" as its central anthropological category.⁴⁷³ These concerns highlight also in this present context certain inadequacies in Girard's categories (as noted previously). Nonetheless, they do not negate the interpretive power of his theory as Mark Wallace acknowledges when he writes:

This is the challenge of Girard's anti-violent hermeneutic ... : to read the Bible with an eye of towards the exposure of, and complicity with, the victimage system, not to celebrate it for its own sake as a self-enclosed aesthetic preserve cut off from the world outside its literary horizon. With this challenge, Girard's hermeneutic is well-disposed to advance a habit of critical reading that is deftly aware of the Bible's ontological worth as an insightful portrayal of our predispositions towards scapegoating in order to preserve our tenuous cultural differentiations".⁴⁷⁴

In other words, when Girard's reading is applied to the Biblical text, the same "unveiling" of the scapegoat mechanism is achieved, that is, the mimetic crisis leading to the collective expulsion of an arbitrary victim as is the case with non-biblical texts. What Girard has shown, however, is the unique standpoint the Biblical text assumes in relation to the victims: God is on their side. Although not present in all Biblical narratives, this theme constantly emerges. A key instance is the story of

⁴⁷² Bartlett, *Cross Purposes*, 164, especially n. 46.

⁴⁷³ Oberhofer, "Mimetische Theorie als Hermeneutik" (*op. cit.*).

⁴⁷⁴ Mark I. Wallace, "Postmodern Biblicism: the Challenge of René Girard for Contemporary Theology", *Modern Theology* 5 (1989), 323.

Cain and Abel (Gen 4:1-15). Compared with non-biblical founding myths like that of Romulus and Remus, this Biblical text not only delivers a moral judgment (Cain is identified as a murderer, despite the fact that God still communicates with him), but also reveals God to be unmistakably on the side of Abel, whose “blood cries from the ground” (Gen 4:10). Other examples of scapegoating abound: the story of Jacob and Esau (Gen 25:27-36; 27:1-45), of Joseph and his eleven brothers (Gen 37:1-36), even the Exodus account. In the latter instance, the entire people of Israel function as the scapegoat *vis-à-vis* the Egyptians who expel them.⁴⁷⁵ Further references in the Psalms and the prophetic writings suggest a sustained critique of the victimage mechanism – a unique feature in the literary history of the ancient world.⁴⁷⁶ As Girard puts it, “Throughout the Old Testament, a work of exegesis is in progress, operating in precisely the opposite direction to the usual dynamics of mythology and culture”. Yet the Old Testament image of God never quite arrives at a point that is free from sacred violence.⁴⁷⁷

In the New Testament, examples of the critical unveiling of the victim mechanism are even more starkly presented. We encounter them in the “woes” against the Pharisees who “killed the prophets from Abel to Zechariah” (Matt. 23:34-36), in the Sermon on the Mount and in the parables which record Jesus’ denunciation of a society that relies for its cohesion on “a more or less violent disavowal of violence.”⁴⁷⁸ However, it is in the Passion narrative that the central unveiling of the scapegoat mechanism occurs. It bears the proof of its truth within its own structure: Jesus, in his Passion, experiences the utmost consequence, even the retaliatory outworking of the very mechanism he had so relentlessly criticized.

⁴⁷⁵ *Girard Reader*, 153. For an exposition of Girard’s reading of the biblical narrative as a whole, see Girard, *Things Hidden*, 141-44; 146-49; 151-79; also, *Girard Reader*, 145-176.

⁴⁷⁶ These texts are very explicit and too many to number. Relevant examples are Isa 10 –17; Jer 6:20; Hos 5:6; 6:6; 9:11-13; Amos 5:21-25; Mic 6:6-8. Gerhard von Rad notes that the 8th-century prophets Amos and Isaiah so vehemently criticized “every form of miscarriage of justice and of exploitation of the weak on so broad a front and with such a passion” that an even earlier tradition of such a critique may be safely assumed (von Rad, *The Message of the Prophets* [London: SCM Press, Study Edition, 1976], 120).

⁴⁷⁷ *Girard Reader*, 159.

⁴⁷⁸ *Ibid.*, 165.

From these examples we may conclude that mimetic theory, as a Biblical hermeneutic, helps us to see the truth of the victim through the veil of the mythical elements. In this regard, the testimony of the Judeo-Christian scriptures needs to be set against the background of a world structured by the myths and laws of violence. Theologically speaking, new windows of interpretation are opened: the image of God is aligned to the non-violent witness of Jesus in his Passion and resurrection. He is the One who is utterly free from sacred violence. This perspective locates the perpetration of violence and vengeance in the world entirely in sinful human activity. We turn, then, to the notion of sin itself.

SPEAKING ABOUT SIN

Difficulties

Any discourse about sin faces several difficulties. One is terminology. In general parlance, sin is often confused with “error”, “mistake” and “folly.” It is often taken for “sins”, that is, individual transgressions of a moral code such as indiscretions, or failures to adhere to certain religious observances. Biblically speaking, however, the category of “sin” is inseparable from reference to God. In our specific context, it means the mimetically induced turning from God to the creature and the implicit rejection of creature/Creator relationship. Specific “sins” such as theft, lying and violence are merely symptomatic of this already existing state of affairs.

Another difficulty arises from the overlap of sin with evil. The latter term is sometimes applied to concepts such as “tragedy” or “natural disaster” – natural evils. Sin must also be distinguished from “crime”. Not all offences against the state offend the will of God. Public protest against an oppressive regime, for instance, may actually conform to the divine will, despite its “political criminality” in such jurisdictions. A further distinction must be made between evil committed out of blindness in pursuit of the good, and “radical evil” willed deliberately for its own sake.⁴⁷⁹ Furthermore, many people may share with Christians an indignation over injustice, growing societal lawlessness, global poverty, terrorism, genocide and so

⁴⁷⁹ Ted Peters, *Sin: Radical Evil in Soul and Society* (Grand Rapids: Eerdmans, 1994), 9.

on, but as convinced secularists or adherents of other faith traditions may reject any Christian moral presuppositions. Still, the most significant difficulty is caused by sin itself through its inherent irrationality. By denying the truth, sin seeks to destroy the good while masking its intentions under a veneer of goodness. Sin deceptively perverts the relationship with God, with others and with the world, enticing its agents into swallowing its toxic substance in a benign carrier. As Ted Peters puts it, “Wherever we dig, lies rush in to fill the hole”.⁴⁸⁰

But there remains a positive aspect. Unlike other descriptions of the human condition, the language of sin has spiritually and morally clarifying effects. On the one hand, it unveils the human condition at its core. On the other, it promises deliverance and forgiveness of guilt through the grace of God in Christ.

The Notion of Sin in Biblical Perspective

In Biblical literature, the meaning of “sin” may vary depending on the intended emphasis. For instance, it can mean failure, iniquity, trespass, lawlessness, unrighteousness and more. But because “law” is understood as a reflection of God’s perfection, any transgression, failure or lawlessness is principally an action or attitude directed against God (Psa 51:4).

Sin makes its first appearance in the Bible in the third chapter of Genesis. It is portrayed as an act of disobedience on the part of Adam and Eve. Traditionally the text is understood to refer to a violation which severed the relationship with God, disrupted the natural and social order, and progressively contaminated the entire race.

In the Old Testament, the most frequently used Hebrew words for sin (out of about twenty) are clustered in four distinct meanings. The first meaning designates sin as missing the target. Sin fails to follow proper order or to comply with moral law or to meet obligations to God or others, particularly to parents, spouse or superiors. Sins such as murder, robbery, adultery, obstruction of justice and false witness fall into this category. The second meaning focuses on the relational impact of sin; it means breaking the covenant or dissolving the relationship with God. It is the state of rebellion against God. The third emphasizes the human tendency to bend the rules,

⁴⁸⁰ Peters, *Sin*, 9.

including the guilt that follows. The fourth meaning points to human lostness; it means to err, to go astray.⁴⁸¹

In the New Testament, terms for sin carry almost identical meanings as in the Old Testament. They stress “missing the mark”, “lawlessness” and “injustice”. The New Testament also refers to the “unpardonable” sin, that is, sin for which there is no remedy (Mt 12:32; Lk 12:10). This implies the relentless refusal to accept God’s offer of reconciliation and eternal life.

The Pauline epistles develop an understanding of sin as something more than personal moral failure or transgression. Sin is presented as a malignant force in human nature and in the world. Its malign influence arose as a result of Adam’s rebellion which brought death, the “wages of sin”, into the world (Rom 6:23). Sin is understood as rebellious human self-assertion against God. According to Paul, it is tantamount to rejecting God. Both Jews and Gentiles are guilty. The Jews had rejected the law even though God had revealed it to them; the Gentiles “knew God” through the witness of creation but had refused to acknowledge his “eternal power and deity”. As a result, all humans are enslaved to sin, and God has given them up to a debased mind (Rom 1-2). The consequences are calamitous. Paul writes:

They were filled with every kind of wickedness, evil, covetousness, malice. Full of envy, murder, strife, deceit, craftiness, they are gossips, slanderers, God-haters, insolent, haughty, boastful, inventors of evil, rebellious toward parents, foolish, faithless, heartless, ruthless. They know God’s decree, that those who practice such things deserve to die – yet they not only do them but even applaud others who practice them (Rom 1:28-32).

Further on in Romans, Paul’s exposition of sin turns to the unique role the first Adam occupied in the economy of creation (Rom 5:12; 14-19). It is this solidarity with Adam that “through the one trespass” brought condemnation and death to the entire human race. However, the same solidarity also works in the economy of salvation as the righteousness of the “second Adam” is imputed to those who believe in Jesus Christ. As J. Murray has noted, “Human history is subsumed under two complexes, sin – condemnation – death and righteousness – justification –

⁴⁸¹ Paul L. Redditt, “Sin”, in John K. Roth (ed.), *International Encyclopaedia of Ethics* (London; Chicago: Salem Press, 1995), 804-807.

life. The former arises from our union with Adam, the second from union with Christ. These are the only two orbits within which we live and move”.⁴⁸²

The foregoing suggests that a Biblical view of sin always implies that a malign element is at work that is more than mere individual volitional failure. Sin refers to a deeply embedded perversity in human history, shaping the mind, will and conduct of the individual. The text of Gen 6:5 puts it rather strikingly: “every imagination of the thoughts of [man’s] ... heart was only evil continually”. We find similar language in Jeremiah: “the heart is deceitful above all things and desperately wicked” (Jer 17:9), or in Ezekiel’s lament over those who have “taken idols into their hearts” (Ezek 14:1-5). Such references leave no doubt about the dark side of human nature and its profound influence on soul and society. The Bible describes humanity’s spiritual condition as lost, spiritually dead, hostile to God, ruthless to fellow human beings and unable to save itself. Humanity now loves sin and hates God. In other words, sin has defaced the image of God in which humankind was created. In the language of our earlier exposition (Chapter 5), the human mimetic imagination, the “mirror of God’s glory”, has been turned away from the original light, perverting the one relationship on which all other relationships to the human and non-human creation depends.

Human Culpability and Divine Indignation

Sin against God renders human agents culpable. Sinners may, of course, be more victims of sin rather than its active agents, and one sin may be more grievous than another.⁴⁸³ But the central issue is whether a human attitude or act is in agreement with the divine will or not. From that perspective, there are no degrees of culpability. As Paul writes, “... all have sinned and fall short of the glory of God” (Rom 3:23). Even if people are caught mimetically in a web of social evil and their actions are the fruit of their conditioning, they are nevertheless responsible participants. Plantinga writes, “The paradigm case is the doctrine of original sin ... human beings have a

⁴⁸² J. Murray, “Sin”, in *The New Bible Dictionary*, ed. Douglas J. D. *et al.* (Leicester, England: Intervarsity Press, 1962), 1189-93.

⁴⁸³ For a biblical warrant of this point see Mt 10:15; 11:20-24 and parallels. Judicial practice in the application of legal remedy takes into account whether an act was premeditated or involuntary, as well as the amount of damage it has caused. Similarly, Catholic tradition distinguishes between mortal and venial sins.

biblically certified and empirically demonstrable bias toward evil. We are all complicitous in and molested by the evil of our race. We both discover evil and invent it; we both ratify and extend it”.⁴⁸⁴

While the final judgment of human culpability is in God’s hands, he has placed in our hands means of self-judgment which we cannot sidestep: conscience and the moral traditions arising from Scripture. Human agents may not always be aware of the sinful patterns inherited from their forebears but, unless conscience is totally atrophied, they know when they do wrong or destroy what is good. This inner witness clearly signals our culpability. Moreover, the language and teaching of Scripture reveal the serious plight of the human condition and of our need to be rescued from it.

It would certainly be erroneous to deny God the attribute of “emotion”; but it would be equally erroneous to interpret his indignation with sin as merely affective expressions such as “anger”, “vindictiveness” or “malignant hatred”. Nor must it be reduced to the will to punish sinners. Rather, the divine “wrath” is the procession of supreme holiness and goodness toward the present parlous state of the beloved creature. It is the expression of God’s infinite desire to overcome sin, to bring good out of the evil we have chosen and to free us from its bondage. Guilt and torment of conscience characterize the experience of being out of harmony with God’s will and signal the need to conform to it.⁴⁸⁵

THE PERVERSION OF THE IMAGE

Reading the Story of Adam and Eve Differently

The story of Adam and Eve in the Garden of Eden is perhaps the best-known story of the Bible, and we are going to read it from the perspective of mimetic theory. First the text:

⁴⁸⁴ Cornelius Plantinga, Jr., *Not the Way It’s Supposed to Be: A Breviary of Sin* (Leicester, England: Apollos, 1995), 26.

⁴⁸⁵ Murray, “Sin”, 1189-93. In the same article, Murray offers a helpful exposition of Old and New Testament terms describing God’s displeasure with sin or his wrath.

Now the serpent was more crafty than any other wild animal that the LORD God had made. He said to the woman, “Did God say, ‘You shall not eat from any tree in the garden’?”² The woman said to the serpent, “We may eat of the fruit of the trees in the garden;³ but God said, ‘You shall not eat of the fruit of the tree that is in the middle of the garden, nor shall you touch it, or you shall die.’”⁴ But the serpent said to the woman, “You will not die;⁵ for God knows that when you eat of it your eyes will be opened, and you will be like God, knowing good and evil.”⁶ So when the woman saw that the tree was good for food, and that it was a delight to the eyes, and that the tree was to be desired to make one wise, she took of its fruit and ate; and she also gave some to her husband, who was with her, and he ate.⁷ Then the eyes of both were opened, and they knew that they were naked; and they sewed fig leaves together and made loincloths for themselves ... and the man and his wife hid themselves from the presence of the LORD God among the trees of the garden. (Gen 3:1-8)

It is not difficult to spot the mimetic triangle and the mirroring dynamism of mimesis. It is triggered by mediated desire which then seeks to reflect the desire of the model. The woman’s desire is awakened through the mesmeric serpent’s reference to the fruit. The desire to possess what has been forbidden is invoked in her. Some Girardian commentators regard the garden scene as the perfect example of contagious desire. Gil Bailie writes: “Here, then, is the fall: mimetic desire and resentment even in a situation in which there is no unsatisfied appetite and only One Transcendent Being against whom resentment may be aroused”.⁴⁸⁶ In Bailie’s view, all it took to propel the human race on the path of mimetic rivalry was to mesmerize it with the display of rivalrous desire of another creature.

Robert Hamerton-Kelly, in his study of Paul’s interpretation of Adam’s sin, takes a different route. He begins with Paul’s frame of reference. The true account of the human condition is only accessible in the light of God’s revelation in Christ. This revelation discloses the murder of the innocent victim on the cross. Since Adam is the representative of the old order, the garden story must be read in the light of the violence that the Adamic race has unleashed in the crucifixion.⁴⁸⁷ From this vantage point, Hamerton-Kelly argues that the sin of Adam is to be understood as “violent desire” aroused by turning from God to the creature. Sin becomes “deviation of desire” which corrupts humanity’s view of God. God is now seen with the eyes of envy. Adam’s sin turned God into “the primitive sacred and the prohibition into

⁴⁸⁶ Gil Bailie, *Violence Unveiled*, 137.

⁴⁸⁷ Robert Hamerton-Kelly, “Sacred Violence and Sinful Desire: Paul’s Interpretation of Adams Sin in the Letter to the Romans”, in *The Conversation Continues: Studies in Paul and John in Honor of J.L. Martyn*, ed. R. Fontana and E. Gaventa (Nashville: Abingdon Press, 1990), 35-54.

envious exclusion”,⁴⁸⁸ thus perverting the image of God from benevolent transcendence into an inimical rival force.

Raymund Schwager also sought to explicate these dynamics.⁴⁸⁹ Like Girard, he noticed the recurring pattern of mimetic rivalry in the first chapters of Genesis: the temptation to imitate God rivalistically (Gen 3), the first murder out of envy (Gen 4:8), and the “law” of sevenfold vengeance (Gen 4:24) which spread violence over the whole world (Gen 6:11), the deep-seated human tendency to shift the responsibility for evil unto others (Gen 3:12-13), and, after the expulsion from the garden, the practice of sacrifice.⁴⁹⁰

Schwager also draws special attention to the conversation between the woman and the serpent in Genesis 3. He sees in it a complex mimetic interplay. “The temptation is from the beginning an imitation of God which, however, is focused exclusively on a single aspect of his speaking (namely his prohibition) so that it appears as that of a perverse idol.”⁴⁹¹ The “perverse” image of God emerged as the result of the mimetic exchange which directed the desire of the woman towards the forbidden tree. What seduced the woman was not the fruit itself, but fruit shown to be desirable. In the process, the seductive voice presents itself as mediating God’s desire worthy of imitation. Thus the serpent becomes the symbol of a mimesis which

⁴⁸⁸ Hamerton-Kelly, “Sacred Violence and Sinful Desire“, 41-42.

⁴⁸⁹ Schwager, *Erbsünde*. See also Nikolaus Wandinger, *Die Sündenlehre Als Schlüssel Zum Menschen*, Impulse aus der Theologie Karl Rahners und Raymund Schwagers, Beiträge Zur Mimetischen Theorie, vol. 16 (Münster: Literatur Verlag, 2003), 257-268; Stanislaw Budzik, “Perversa Imitatio Dei: Zum Begriff der Erbsünde bei Augustinus und Schwager”, in *Vom Fluch und Segen der Sündenböcke*, ed. Józef Niewiadomski and Wolfgang Palaver (Thaur: Kultur Verlag, 1995), 93-109.

⁴⁹⁰ When reading the Genesis account through the filter of mimetic theory, the only crucial element that seems to be missing is the *collective* murder of an innocent victim. Duff and Hallman have examined the Hebrew text for clues. Their research suggests that the Genesis account may be based on an original myth that had a polytheistic context (reflected in Ezek 28:12-29). This original story involved the collective murder of an individual. This makes plausible an interpretation that casts Adam into a scapegoat figure. Such a reading would suggest that the “gods” (*elohim* in Gen 3:22) are concerned with the possibility that Adam might eliminate all differences between them. Hence, Adam’s punishment ought not to be interpreted as the just desert for a transgression but as the results of the envy he had aroused. But since a society without differences would invite the destructive contagion of mimesis, the collective murder or the single victim mechanism saved the community from this danger (Paul Duff and Joseph Hallman, “Murder in the Garden? The Envy of the Gods in Gen 2 and 3”, *Contagion: Journal of Violence, Mimesis, and Culture* 3 [Spring 1996], 1-20).

⁴⁹¹ Schwager, *Erbsünde*, 24 (my translation).

succumbs to desirability when its mediation suggests a narrowing of the focus of imitation.⁴⁹²

According to Genesis 3 – 11, the effects of this perversion now work their way into human relations. They lead first to rivalry between husband and wife, then in their offspring, to rivalry between brothers, and eventually to envious murder. God's prediction that eating from the tree would lead to death fulfils itself in human experience. Though spoken as a warning, God's words are, because of the distorted image of the divine, heard as a threat: "in the day you eat of it you shall die" (Gen 2:17). With these words, God posts a sign pointing to the predictable consequences of sin. A process will be set in motion by the dynamic of mimetic desire, once the boundary is transgressed. In this regard, these consequences occur as concretely and practically inevitable, without the implication, however, of absolute necessity.

Because sin is tied to mimesis, it is bound to intensify. As violent conflicts spread, more fearsome mechanisms are necessary to control them. These in turn feed the spiral of violence so that in Genesis 6 violence is spoken of as the very essence of evil. It eventually reaches such proportions that the entire created order is called into question. After the flood, human corruption continues: "the imagination of man's heart ... [was still] evil from its youth" (Gen 8:21). Yet, even in the light of universal sin, the flood story opens a new chapter in the way God deals with the human condition. He gives a new promise never again to "curse the ground because of man" (Gen 8:21).

In summary, six points may be noted:

- A mimetic interpretation of sin is consistent with the Biblical intuition and with human experience.
- This mimetic hermeneutic explains complicity in violence through the innate tendency to find and "eliminate" scapegoats when solving conflicts.

⁴⁹² Schwager, *Erbsünde*, 25.

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- In the Genesis account (Gen 3:22), likeness with God is sought by eating the forbidden fruit. It was “stolen”, not received freely. As Bultmann puts it, life is “liv[ed] from one’s self rather than from God”.⁴⁹³
 - The falsifying mimetic interplay perverts the image of God into that of the ultimate rival.
 - Sin may therefore be understood in terms of a fixation of that image; or, in Girardian terms, the idolatrous attachment of our mimetic capacities to a spurious projection of the transcendent Other.
 - Since sin turns imitation into envy, human freedom manifests as desire to usurp the place of God, and nourishes a secret death wish against this envied Other.

Law, Prohibition and the Distortion of Desire

Whether or not we read the story of Adam and Eve through the Girardian or the traditional lens, the prohibition against eating the fruit plays a crucial role. By imposing limits, the prohibition expresses the will of God negatively. Overstepping it, we are told, has serious consequences. This thought form belongs to the wider category of “law” whose diverse meanings we cannot explore here. We can, however, remark on the hidden and paradoxical dynamic of the law that so baffled St. Paul as he pondered on the interplay of law and desire under the influence of sin. In his systematic treatment of this theme in Romans 1, 2, 3 and 7, Paul shows how the law may be used by sin to corrupt human desire. He writes:

What then should we say? That the law is sin? By no means! Yet, if it had not been for the law, I would not have known sin. I would not have known what it is to covet if the law had not said, “You shall not covet.” But sin, seizing an opportunity in the commandment, produced in me all kinds of covetousness. Apart from the law sin lies dead. I was once alive apart from the law, but when the commandment came, sin revived and I died, and the very commandment that promised life proved to be death to me. For sin, seizing an opportunity in the commandment, deceived me and through it killed me. (Rom 7:7-11)

⁴⁹³ Rudolf Bultmann, *Theology of the New Testament* (London: SCM Press, 1952), 232.

With the story of the fall in mind, Paul wrestles here with one of the most deceptive characteristics of sin, this sinister force that lies dormant in a person's life. "Had it not been for the law", he writes, "I would not have known [sin]". In other words, only through the demands of the law is sin raised to personal and existential consciousness. To get to the heart of the problem, Paul turns to the Decalogue and chooses as his focus the prohibition of covetousness or "rivalistic desire". When the law, by prohibiting covetousness, gave the opportunity, sin sprang into action "for apart from the law sin lies dead".

Up to this point, the unconverted Saul had been ignorant of the dormant power of sin that lay coiled up in his inner being. Blinded by his legalistic righteousness and impeccable religious observance, he considered himself "blameless" before the law (Phil 3:6), seeing only flaws in others, not his own moral faults. The violent zeal with which he persecuted the early Christian community looked to him like the will of God. Only after his conversion to Christ did the commandment strike him with its full force. Thus, he came to recognize sin's deceptive nature: for the first time he saw that sinful humanity was unable to do the will of God as expected by the law. The basic intentionality of human desire was corrupted.⁴⁹⁴ Bornkamm's comment is helpful here:

The deception of sin can only consist in the fact that it falsely promises life to me. This it cannot do by itself, but only with the help of the divine commandment. Deceptively it appropriates the call to life, which actually declares God's law: do that and you will live. What it quietly and deceptively conceals from me is simply this, that it has now usurped this call to live, and therefore the encounter with the divine command is no longer direct. Sin always stands in between and has fundamentally perverted my relationship to God's commandment. This perversion is both deception and death.⁴⁹⁵

Because the law is holy, it reveals by contrast what is opposed to it. By searching out sin, it brings us face to face with our inability to fulfill the law, even though it forbids sin and thus condemns it. Traditional exegesis of Paul's view of desire often comes close to identifying sin as violence. It is understood as the desire "to be as God". Hence, it is driven by rivalry. But these interpretations never quite go

⁴⁹⁴ See also Everett F. Harrison, "Romans-Galatians", in *The Expositors Bible Commentary Vol. 10*, ed. Frank E. Gaebelin and J. D. Douglas (Grand Rapids: Zondervan, 1976), 3-171.

⁴⁹⁵ Günther Bornkamm, *Early Christian Experience* (New York: Harper & Row, 1969), 91-92.

far enough, as Hamerton-Kelly has remarked.⁴⁹⁶ The crucifixion of Jesus unveiled the “unrestrained and merciless” nature of human violence. Paul, after his conversion, saw the fall no longer as the transgression of an individual command but as the shift of human desire towards rivalry. The story of the fall, Hamerton-Kelly argues, is the “account of a corruption and deformation of desire into mimetic violence”.⁴⁹⁷

One can understand Paul’s dilemma. What could be more perplexing for a Jew than the realization that the law which is “holy, just and good” (Rom 7:12) should bring forth the very conduct it prohibits? Only when Paul perceives the presence of two orders in the world, the order of the “primitive sacred” and the order of “righteousness through faith in Christ”, did this puzzle find a solution. Rather than keeping mimetic rivalry in check, the law begins to work in the sphere of the primitive sacred. By amplifying and intensifying the dynamics of primitive violence, the law now produces an effect contrary to its original purpose. As long as humanity remains within the sphere of the primitive sacred, prohibition will produce the very thing it outlaws. Prohibiting mimetic rivalry will not curb desire. It so increases envy, rivalry and resentment that the law is rendered incapable of fulfilling what it was designed to do, namely, to bring about responsible restraint. Instead, it establishes a domain of its own based on its power to bend desire towards envy and mimetic violence.⁴⁹⁸ As a result, the law becomes the ambiguous instrument of its own contradiction.

This raises two questions in relation to the human rights crisis. First, given the paradoxical function of the law under the condition of estrangement, what are the implications for the ability of human rights law to fulfill its function in the world? Secondly, since humans are inclined to idolatrous projections, how can any system of human rights bring peace and security?

⁴⁹⁶ There is general scholarly consensus of the centrality of the cross in Paul’s theology. It follows that the cross must be also central to Paul’s reading of the Adam story (Hamerton-Kelly, “Sacred Violence and Sinful Desire”, 35-54).

⁴⁹⁷ *Ibid.*, 41.

⁴⁹⁸ *Ibid.*, 47-50.

The core of the argument is this: human products, be they in terms of power, national security, technological, economic, political or judicial systems, can become the objects of our ultimate concern and trust. By expecting them to deliver humankind from its existential precariousness, humans make them into idolatrous objects. Therefore, all attempts to “fix” the human condition that fail to take the question of idolatry seriously will experience these objects of trust as sources of a progressive corruption that subverts even humanity’s most sophisticated solutions.

THE PERVERSION OF DESIRE: PERSONAL DIMENSIONS

The best attempts of the social sciences, of psychology in particular, to heal the social and personal aspects of humanity’s pathology fall short of the mark. The predominant model of self-love/self-mastery/self-realization has turned out to be a false hope. In any case, to the degree that these categories deny the connection between the human condition and transcendent reality, they are deficient from the perspective of this study. This is not to say that psychological insights may not be helpful in describing the human predicament.⁴⁹⁹ One author who maintains a theological view while looking at psychological roots of violence is Charles Bellinger.⁵⁰⁰

The Psychology of Violence

Bellinger begins with Kierkegaard’s conception of *angst*. It is the experience of being called by God into authentic human existence or greater spiritual freedom and maturity. The awareness even of the alternative to one’s present condition produces

⁴⁹⁹ Cf. Ernest Becker, *Escape from Evil* (New York: Free Press, 1975); *The Structure of Evil* (New York: Free Press, 1976 (1968)). For a more biblical treatment of sin in a psychological context see also Karl Menninger, *Whatever Became of Sin?* (London: Hodder & Stoughton, 1975) and M. Scott Peck, *People of the Lie: The Hope of Healing Human Evil* (London: Century Hutchinson, 1983).

⁵⁰⁰ Charles Bellinger, *The Genealogy of Violence* (Oxford: Oxford University Press, 2001).

anxieties as the individual faces the unknown, and the abyss of trust.⁵⁰¹ Angst is thus the “misrelation” of the self to itself and to others.⁵⁰²

Kierkegaard assumes that the Creator is continually calling his creature into deeper and more mature selfhood so that the individual faces ever new possibilities for growth and hence ever-recurring states of anxiety. To reduce the discomfort, the person seeks to maintain control by actively resisting the voice of the Creator. This turning away from God produces inner conflict. The sinful human being “hates the pressure being placed upon him to become a more mature person. He hates this possibility”. This response, says Bellinger, is in one sense the dread of losing the self by being “recreated in a more mature formation”. The response results in a defensive kind of self-protection.⁵⁰³

Here Bellinger spots the most basic root of violence: hostility towards the authentic self, leading to a form of spiritual suicide aimed against the self, the Creator and others.

In its desire for egocentric mastery, the self defiantly attempts to justify autonomous existence by a repeated turning away from the voice of the Creator. But such egocentricity reaps a deceptive fruit: there results a “hardening of the individual’s psychological structure”. The defiant self is not only scandalized by the sheer givenness of creaturely life (which it wants to shape for its own purposes), but is also threatened by the presence of God and of others whom it ought to respect and love. Thus the inner strategy of ego-protection represents the power struggle between the self and the Creator over the right to create the self.⁵⁰⁴ In its attempt to become its own creator, the defiant self inverts the doctrine of creation by persistently drowning out the voice of the Creator who invites it to move forward to become a more authentic self. Atheist philosopher Bertrand Russell rhetorically lauds this attitude of defiance:

⁵⁰¹ Bellinger, *Genealogy of Violence*, 38.

⁵⁰² *Ibid.*, 65.

⁵⁰³ *Ibid.*, 67.

⁵⁰⁴ Libuse Miller, *In Search for Self* (Philadelphia: Muhlenberg Press, 1962), 256.

... proudly defiant of the irresistible forces that tolerate, for a moment, [man's] knowledge and his condemnation to sustain alone a weary but unyielding Atlas, the world that his own ideals fashioned despite the trampling march of unconscious power.⁵⁰⁵

In this state, the individual resents gratuitous existence and “would rather rage against the universe than do anything else”.⁵⁰⁶ Such is the virulence of this condition. It refuses to be drawn into repentance, healing and transformation, which would totally undermine the defiance and the self-image forged over and against that of the Creator.

What comes into view is the mimetic intensification of sin. Scandalized by the life-promoting voice of the Creator (who calls the self forth into new life), the self hates this call because it engenders the sense of existential neediness or inadequacy. Hence, it seeks to do away with that possibility by denying the voice and by joining with others to form a crowd which suffers from the same sickness and seeks ego-protection in similar ways. Such company serves only to reinforce itself. If the process of defiance is repeated ever more often, a state of radical resistance is reached in which the self now hates God without cause. Its natural consequence is violence, argues Bellinger. The individual is so enraged over its inability to silence or kill the voice that “it develops a need to kill other human beings”. Bellinger continues:

He [the defiant self] subconsciously construes other human beings as a representation of that which he is trying to kill within himself. Instead of addressing his internal alienation as his own problem, he projects his anger out into the world.”⁵⁰⁷

Let me sum up Bellinger’s point, which reinforces my earlier argument. The root of humanity’s spiritual sickness is hostility towards the Creator. At the same time, human beings cannot escape the voice which summons to self-transcending life. They either answer this call and live, or refuse and die. In the latter case, they

⁵⁰⁵ Bertrand Russell, *Why I Am Not A Christian*, (Simon & Schuster, 1957), 115-116.

⁵⁰⁶ Bellinger, *Genealogy of Violence*, 48.

⁵⁰⁷ *Ibid.*, 67. Eric Voegelin has called this condition “the egophanic revolt”, by which he means the eclipse of the epiphany of God in human consciousness by the epiphany of the ego (Eric Voegelin, *Autobiographical Reflections* [Baton Rouge: Louisiana State University, 1989], 67-68).

are compelled to justify their rejection of God, of themselves and of others. The result is an ever increasing corruption, violence, and, ultimately, spiritual death.

Many social phenomena powerfully illustrate this progression. Televised violence is such an example. Brutality is increasingly on display as entertainment modeling aggressive styles of conduct, desensitizing and habituating people to violence, altering modes of restraint and perpetuating the myth that violence can bring peace. Bandura cites a range of studies as early as the 1970s that have demonstrated a marked increase in interpersonal aggression as a result of TV influence.⁵⁰⁸ Since TV programming follows the market, one must assume that society insists on screening details of how to increase one's tolerance of, and skill in executing, inter-human brutality. Spanish philosopher José Ortega Y Gasset characterized modern humanity as *refus[ing] to accept any order superior to himself*.⁵⁰⁹ This "mass man", wrote Ortéga, also proclaims himself to be "common". But in the light of increasing consumption of violent entertainment, the systematic desensitization of children to violent solutions to life's problems, and the degenerate lyrics of the hip-hop culture,⁵¹⁰ such an assessment must surely be revised. "Common" humanity increasingly appears as "violent" humanity.

Seven Steps to Radical Evil

This progression towards radical evil or "maximum profanity" has been studied by Ted Peters.⁵¹¹ Like Girard and Bellinger, Peters begins with the notion of existential

⁵⁰⁸ Bandura, "Psychological Mechanisms of Aggression", 1-40. Wink has shown that all TV cartoons and most movie plots are based on the ancient mythological structure of redemptive violence. Children and adults have been led by role models to *resonate* with this mythic structure that inculcates and constantly reinforces the values of dominance in the psyche of society, yet it is the "simplest, laziest, most exciting, uncomplicated, irrational and primitive depiction of evil the world has ever known" (Wink, *Engaging the Powers*, 22).

⁵⁰⁹ Jose Ortega y Gasset, *The Revolt of the Masses*. (London: Allen & Unwin, 1951), 102 (emphasis added).

⁵¹⁰ Lyrics by "D12", the American hip-hop group: "*I'm past my limit of coke, I think I'll up my high by slitting your throat, push a baby carriage into the street 'til it's minced meat*". Despite the sickening style of this subculture and its open defiance of human values, the Australian government supports with grant funds studies of how to "indigenize" hip-hop in Australia (Andrew Bolt, "D for Degenerate", *Sun Herald* [Sydney], 16 December 2004).

⁵¹¹ Peters, *Sin*, 10-17. On the theological difficulties connected with the concept of "radical evil" see John Milbank, *Being Reconciled: Ontology and Pardon* (London: Routledge, 2003), pp. 1-25.

precariousness or anxiety. He also acknowledges the operation of the scapegoat mechanism and, what is more, he clearly links human sinfulness with the kind of personal and social ills we have called the human rights crisis. Peters' book-length treatment contains an insightful ladder of "seven steps to radical evil" which I now summarize.⁵¹²

Anxiety

Anxiety or fear arises at the prospect of humiliation. It is the fear of loss or loss of face, of dropping out of existence, of being nothing. Compactly expressed, it is the fear of death. It tempts the human agent to rid himself of this perceived threat by taking a preemptive strike at others; it leads to aggression and the impulse to expropriate the glory, money and power that are the objects of envy.

Unbelief

Failure in faith follows on. We will only give in to this temptation when we do not trust. Only trust makes us fearless in the face of existential threats. Trust overcomes the temptation to strike out against God and neighbor. Without the spiritual power of trust, which is another way of saying without faith in God, we live in a perpetual state of unbelief and its inevitable consequence, the fear of loss which we try to overcome by the preemptive strike against other people in its many destructive forms.

Pride

When we cover this anxiety by denying its existence, we enter the state of pride or ego-centrism. Like narcissism, it pretends to God-likeness by seeing itself as the life source. Traditionally, pride has been seen as the essence of sin, for it is a turning away from the divine center which is our origin. Pride is the substitute of the human for the divine and is therefore idolatrous. It contradicts the first commandment of the Decalogue (Ex 20:3-4). For Augustine, pride arose in a soul that was inordinately enamored of its own power.⁵¹³ Thus pride relies on its own achievements, refuses to

⁵¹² While Peters presents his model in form of a progression, he does not wish to imply a chronological path. He notes: "Evil is not simply progressive ... [a]lthough most of us who sin stop well short of blasphemy, nearly every step is present nearly all the time" (*ibid.*, 17).

⁵¹³ Augustine, *City of God*, 12.6; 14.13.

accept limits, arrogantly elevates itself above others, even into the sphere of the divine, is insensitive to the suffering of others, and is unable to enter into a sympathetic understanding of their needs. The evil of pride fragments communities and leads to repression, nepotism, exploitation, exclusion, violence and war.⁵¹⁴

Concupiscence

The state of pride has another face: concupiscence. This is the desire to make the soul secure against all contingencies through possessions. It manifests in the tendency to keep up with the Joneses, in over-indulgence and in the desire to possess for the sake of possession. It seeks to profit from other people's loss and favors an economic system that exploits the poor. It is impatient and wants what it wants now. The inflamed passions of sexual lust and its deliberate and destructive pursuit also belong to this condition.

Self-justification

When pride and concupiscence are at work, they lead to transcendent desire, wanting to possess what God possesses, namely his goodness and to ascribe it to ourselves. This attempt to make ourselves good or "righteous" is called self-justification. Its surface expression is scapegoating. We seek to exonerate ourselves at the expense of others, which in individuals and society often takes the form of political ideology, racial prejudice, religious intolerance or simply blame-mongering in any form. It is deceitful, and denies its own sinfulness, off-loading it onto others.

⁵¹⁴ In the 20th century war casualties increased from approximately 20 million to 108 million, a fivefold increase compared with the previous century, while the ratio of casualties to world population which had been static for 300 years, more than doubled in that period (based on statistics on war casualties found in Wink, *Engaging the Powers*, 221 in combination with data on world population in Raymund Peal, *Natural History of Population* [Oxford: Oxford University Press, 1939], 238 Fig. 38). According to Wink, more people died in war in the 20th century than in the last 5000 years combined. While these statistics speak for themselves about our violent propensities, there is nothing more evil in modern preparation for war than the retention and development of nuclear weapons, especially the black market in radioactive material and weapons technology recently uncovered by the International Atomic Energy Agency. Yet investigations are being hampered by conflicting political interests between Pakistan where this clandestine operation began more than thirty years ago, and the USA (accessed 26 December 2004); available from <http://www.nytimes.com/2004/12/26/International/asia/26nuke.html>

Cruelty

When through self-justification we reject the possibility that there is any goodness outside and independent of ourselves (the grace of God and of others), we remove ourselves from the possibility of forgiveness. This leads to a hardening of the heart, which means further loss of empathy. The result is cruelty, or the ability to ignore the suffering of others. It shows in the willingness to inflict bodily and emotional pain on animals or people so as to cause anguish and fear. This unconscious by-product of unbelief (or “unfaith” as Peters calls it) also manifests in a conscious infliction of suffering. Cruelty will abuse and kill deliberately, and even enjoy it. A cruel state will pursue a policy of abuse, torture, disappearances and murder.

Blasphemy

The last stage in this progression is the sin of blasphemy. It is the sin of radical evil. Peters defines it as the “misuse of divine symbols so as to prevent the communication with God’s grace”. It is the most sinister expression of self-justification. In its overt form, it uses the symbols of God to justify human action by appealing to the divine right of kings or the use of Scripture to justify oppression and slavery. Covertly, it prevents access to the message of redemption, and creates soul-destroying associations between the symbols of grace and practices of oppression. Consequently the message of redemption and hope is not just denied but deliberately “pressed into service of violence and destruction” aiming at the spiritual death of the victims.⁵¹⁵ With blasphemy, sin has evolved into radical evil, the overt and satanic enmity towards God which even enjoys deliberate violation of the divine image and values.

What this analysis has made clear is that sin bears a far more virulent connotation than that of an occasional personal lapse or misdemeanor. It has unmasked it as a deep-seated spiritual phenomenon that not only opposes the good, but even aims at its destruction. Radical manifestations may surface at the individual level as callousness and cruelty towards others. When this kind of evil rules collective structures, it appears as genocide, terrorism, the Mafia, the sex industry,

⁵¹⁵ Peters refers here to the practice of ritual abuse in Satanist cults where all symbols of Christian hope are prostituted to function as symbols of spiritual death, robbing the victims of all access to transcendent comfort.

the illicit drug and weapons trade, fraudulent and exploitative business organizations, oppressive political and religious systems. This is not to say that other social structures are immune. If, as I have argued, the human condition is universal as well as systemic, the entire fabric of global society is affected to a greater or lesser degree and thus even contributes, often unknowingly, to the propagation of such evils as political oppression, economic and ecological exploitation, religious persecution, the arms race, terrorism, world-wide hunger and so on. It is to these structural manifestations of sin that we now turn.

THE PERVERSION OF DESIRE: STRUCTURAL DIMENSIONS

The Dominance System⁵¹⁶

For archaic society violence was not a problem; it was primordial. According to Mesopotamian and Babylonian mythology, chaos preceded order and it took violence to establish the latter. Evil too was primordial, constitutive of deity itself. In the epic myth *Enuma Elish*,⁵¹⁷ Marduk, the god of Babylon, was enthroned as the supreme god after having vanquished the old gods by murder and combat. Deicide preceded the creation of the cosmos which Marduk formed from the monster corpse of Tiamat, “the mother of them all”.⁵¹⁸ Even humanity’s origin was violent, “created from the blood of an assassinated god”.⁵¹⁹ Thus “the chaos of violence is in our blood” and violence must continually be imposed to curb it by the system of dominance that was set up in the heavens. It was no coincidence, Wink notes, that the myth of Marduk’s

⁵¹⁶ The term “dominance system” was coined by Wink who studied the structural manifestation of evil in his trilogy, *Naming the Powers: the Language of Power in the New Testament* (Philadelphia: Fortress Press, 1984); *Unmasking the Powers: the Invisible Forces That Determine Human Existence* (Philadelphia: Fortress Press, 1986). *Engaging the Powers; Discernment and Resistance in a World of Dominion* (Minneapolis: Fortress Press, 1992).

⁵¹⁷ For a profound commentary cf. Paul Ricoeur, *The Symbolism of Evil*, trans. Emerson Buchanan (New York: Harper & Row, 1967), 175-210.

⁵¹⁸ The contrast to the biblical story could not be more striking. It tells of a good God who brings forth a good creation not through combat and violence, but through sovereign utterance. The God of Israel is a God who speaks.

⁵¹⁹ Wink, *Engaging the Powers*, 14.

elevation to supremacy among the gods appeared when Babylon gained ascendancy over neighboring city states.⁵²⁰

Girard has argued that archaic society survived because it was able to manage its violence, and the key was the discovery of the scapegoat mechanism. As a societal structure it limited the escalating retaliation from mimetic contagion.

Whether human social evolution featured a “golden age” of non-violence as some anthropologists have suggested is debatable.⁵²¹ The “original” (pre-fall) society of the Biblical account is certainly portrayed as egalitarian, agricultural and free from sacred violence.⁵²² However, Genesis 3 – 6 describes how jealousy and possessiveness eventually led to a violence-sanctioned pattern of dominance on a global scale. As the human population grew, war and conquest were inevitable. Violence between groups caused conditions of chaos that could be resolved only by dominance of some over others. In Girardian terms one could say that it was the mysterious dynamic of the mimetic double that propelled civilization in the direction of power and dominance. The more successful a society was in conquering its external threats, the more it would have imitated its aggressors. It exercised dominance, not by merely matching, but by exceeding, the military prowess and violence of the other. In short, power and dominance became the *indispensable* and *constitutive* structures of human survival.⁵²³

The New Testament equivalent for the dominance system is “the world” (*kosmos*). Its predominant characteristics are pride and covetousness (1 Jn 2:16) which is idolatry (Col 2:16). Tasker holds that this *kosmos* is pervaded by a “spirit of its own” which “dominates human reason and understanding”.⁵²⁴ while Albert C.

⁵²⁰ *Ibid.*, 15.

⁵²¹ Michelle Zimbalist Rosaldo and Louise Lamphere (eds.), “Introduction”, in *Women, Culture, and Society* (Stanford: Stanford University Press, 1974) and Ashley Montague, *Learning Non-Aggression* (New York: Oxford University Press, 1978); Peggy Reeves Sanday, *Female Power and Male Dominance* (Cambridge: Cambridge University Press, 1981).

⁵²² The central position of the woman in the story (Gen 3) and her bold initiative in relation to the fruit make certainly sense if seen in the context of an agricultural society.

⁵²³ Wink, *Engaging the Powers*, 39-43.

⁵²⁴ R. V. G. Tasker, “World”, in *The New Bible Dictionary*, ed. J. D. Douglas *et al.* (1962), 1338-40.

Winn refers to it as “a series of ordered, structured, interlocking systems that are actually and potentially destructive of human values of the most basic kind ... and therefore opposed to God who is the source of such values”.⁵²⁵ In other words, the world system presents itself in various forms. The political, social, economic and cultural institutions cohere by the mimetic unanimity built around opposition to God.

According to Wink, the “dominance system” appeared in human history at least some five thousand years ago with the great conquests in Mesopotamia. Its appearance coincided with the taming of the horse and the invention of the wheel, which ushered in epochal change. This system is self-perpetuating. What is more, it evolves towards a maximization of power.⁵²⁶ Since it is not intrinsically hostile to the human affairs internal to it, culture and commerce flourish under its patronage, at least for the élite. Tragically, it permits no other structural option to exist alongside it. The implication is clear: participation comes at the price of total complicity with its mechanisms of dominance through conformity to its ethos. Wink describes “the system” in these terms:

It is characterized by unjust economic relations, oppressive political relations, biased race relations, patriarchal gender relations, hierarchical power relations, and the use of violence to maintain them all. No matter what shape the domination system takes (from the ancient Near Eastern states to the Pax Romana to feudal Europe to communist state capitalism to modern market capitalism), the basic structure has persisted now for at least five thousand years ...⁵²⁷

This system functions anonymously. No one in particular has designed or chosen it, yet all humanity seems to have come under its sway. Without realizing it, even top-echelon decision-makers are subject to forces they do not control in the realms of international affairs, the economy or technology. This web of interlocking dominant structures derives its strength from acquiescence accorded to it by all concerned.⁵²⁸ In the next section, we shall explore what gives this deceptive power the appearance of sovereignty that demands a society’s cultural allegiance.

⁵²⁵ Albert C. Winn, *A Sense of Mission* (Philadelphia: Westminster Press, 1981), 70, cited in Wink, *Engaging the Powers*, 51 n. 3.

⁵²⁶ Wink, *Engaging the Powers*, 40.

⁵²⁷ Wink, *The Powers That Be*, 39-40.

⁵²⁸ A phenomenon strikingly exemplified by the “Auschwitz-doctor” syndrome.

The Figure of Satan

In order to appreciate the system of dominance, Girard maintains, it is necessary to re-familiarize ourselves with the biblical depiction of Satan as the power behind the present world order. Girard is not suggesting that there exists a metaphysical entity called Satan. Rather, in his *I See Satan Fall like Lightning* he is drawing attention to the presence of an uncanny, seemingly transcendent power operating within the structures of society.⁵²⁹

The Biblical terminology associates the figure of Satan to the role of “the deceiver”, “the accuser” (Rev 12:10), “the tempter” (Mt 4:3; 1 Thess 3:5), “the father of lies” (Jn 8:44), “the prince of this world” (Jn 12:31; 14:30; 16:11). These different satanic activities, when examined from the perspective of Girard’s theory, are manifestations of the typical mimetic structures such as self-justification, accusation of the other, scapegoating and so on. From this perspective, the personified depiction of Satan is itself the projection of such mimetic structures. As James Williams notes, Satan has only a parasitic existence in regard to both humanity and God.⁵³⁰

The satanic *persona* is paradoxically at the same time both the seducer and the adversary. He first appeals to mimetic desire, then, suddenly transforms himself into the adversary. The meaning of this contradiction becomes clear, however, when it is viewed as the model/obstacle dynamic of the mimetic double.⁵³¹ This is to suggest that Satan is simply identical with the victimage mechanism which generates disorder *as well as* violently establishing order. In a divided community, the satanic influence creates unanimity. It transforms the innumerable pent-up conflicts and scandals by bringing into being a functional order within a given culture or society. It achieves this through the dynamics of victimary violence which perpetuates the social order even as it contains the barbarous forces of destruction. Structurally speaking, these found expression in the ancient Babylonian combat myth. To bring about the new order, the “old gods” (regime, city, leader, religion...) of previous

⁵²⁹ Cf. Girard, *I See Satan Fall*, op. cit.

⁵³⁰ James Williams, “Foreword”, in Girard, *I See Satan Fall*, xii. For a more detailed exposition of the figure of Satan see also Wink, *Unmasking the Powers*, 9-40.

⁵³¹ Girard, *I See Satan Fall*, 33.

allegiance must be destroyed by violent means.⁵³² This form of self-expulsion and victimary violence makes the satanic figure an indispensable force in a sinful world. Hence, Satan is called the “prince” of a world populated by subjects that assent to violence as the path to peace. Speaking of Satan, Girard writes,

If he would not protect his domain from the violence that threatens to destroy it, even though it is essentially his own, he would not merit the title of prince, which the Gospels do not award him lightly. If he were purely a destroyer, he would have lost his domain long ago.⁵³³

Satan is also called “the god of this world” (2 Cor 4:4). This title describes the spiritual dimension of this figure. It points to the interiority of a society that willfully seeks its own good without reference to God. Humanity’s hostile disposition towards the Creator generates its own destructive counterforce. Wink believes that this arises from alignment of “our own narcissistic anxiety with the spirit of malignant narcissism itself”,⁵³⁴ This “spirit” is diametrically opposed to the Creator’s design (see the exalted vision of humanity presented in the previous chapter). But humanity by its own devising has elevated Satan to the place of sovereignty. He is “the god of this world” by human consent. This spurious form of transcendence is culturally effective. Satan now takes the place of God. The rights of the Creator are made to yield to the rights of the creature. This leads to an ethos of self-sufficiency and independence from God characterized by the idolizing of power and domination.

Satan, like God, seeks out his worshipers and forms them in his own image. He is the personification of the mesmeric force of envy and unrestrained desire. Palaver points to the inner connection between worship and imitation on the one hand and idolatry and envy on the other (see also Ex 20:4, 17; Col 3:5).⁵³⁵ The

⁵³² Interestingly, much of what goes by the name of foreign policy follows the same structure (Wink, *Engaging the Powers*, 29).

⁵³³ Girard, *I See Satan Fall*, 35.

⁵³⁴ Wink, *Naming the Powers*, 24.

⁵³⁵ Palaver writes: “As soon as we are no longer directed towards God, we begin to worship our neighbor and through imitation we finally long for his goods” (Palaver, “Envy and Emulations”). The fact that this principle keeps the world economy going is not totally immaterial to our argument as it only demonstrates the ambiguity and paradox of the power which the New Testament calls the “prince of this world”. Also, if Satan is the prince of this global system of fallen mimetic desire, it is no surprise that advertisers should ever more brazenly sing envy’s praise.

imitation of this perverted divinity leads to the endless violence that poses at the same time as the foundation of social cohesion. The culture it generates, as Ignatieff perceptively noted, puts bloody social orders first.⁵³⁶

CHRISTIAN REALISM: THE DOCTRINE OF THE FALL

Despite humanity's ruin in the fall, the image of God that is stamped on them cannot be effaced entirely, for it is part of humanity's constitution. It manifests in the pursuit of knowledge, in the drive to harness the powers of nature, and in the development of art, culture and civilization. But because of its fallen condition, humanity experiences frustration in the midst of these endeavors. As noted earlier, even humanity's best efforts contain already the seeds of their decline. The very discoveries that promise the most good become through misuse candidates for producing the greatest harm (see Weizsäcker's prediction of the use of nuclear technology in Chapter 1). Moreover, mimetic intensification of sin produces radical evil in soul and society, the outcome of a mysterious progression beginning with anxiety and ending in blasphemy. While evil exists in people and institutions, neither of them are evil *per se*. Rather, evil is a disorder, an unnatural phenomenon that cannot exist without a host feeding parasitically on what is good.

Christian realism thus expresses the reality of evil while preserving the sovereignty and goodness of God. It offers an effective antidote to several fallacious assumptions that feed an unwarranted secular optimism. It counters the fallacy that human society can indeed be built without taking personal and structural sin into account. It spoils the myth of human perfectibility, including the perfectibility of human institutions, and sets us free from the insistence of a false universalism that we are responsible for everything.⁵³⁷

Moreover, if we follow our analysis, it reveals why mechanisms of culture and social organization are inadequate to deliver humanity from its systemic

⁵³⁶ Ignatieff, *Politics and Idolatry*, 172.

⁵³⁷ See Wink, *Engaging the Powers*, 69-73.

entrapment in and addiction to mimetic scapegoating, and why eventually no creaturely arrangement holds. Nations fall, empires crumble, corruption is found in the U.N.,⁵³⁸ all this is unavoidable. And as the doctrine of the fall shows, much of it is the fruit of humanity's resistance to God's ordering. This fissure runs through every human endeavor, including the human rights project confronting us with our impotence to heal it. But this does not mean, as Wink reminds us, that "everything we do is evil, vain, or hopeless, but merely that all is ambiguous, tainted with egocentricity, subject to deflection from its divine goal, or capable of being co-opted toward other ends".⁵³⁹

Taking our cue from Wink's remark, the next task is to consider how the human rights project is being deflected from its true goal to resist evil and to bring justice to the oppressed in a world of domination. To describe the underlying "institutional fallenness", I have singled out three symptoms: the moral devaluation of the word, striving for omnipotence, and the return of the primitive sacred.

HUMAN RIGHTS IN CRISIS: SYMPTOMS OF INSTITUTIONAL FALLENNESS

Devaluation of the Word

From the opening verses of the Bible we are confronted with the metaphor that God speaks. God creates through the word, bestows being and, by naming things, he differentiates, grants identity and attributes truth. Contrary to ancient combat myths, he does not overcome chaos in a gargantuan struggle. The God of Israel simply speaks and what he utters comes to pass. He creates time, light, and cosmic realities, placing himself in an indissoluble covenantal relationship with his creation through the word he speaks. God's words are words of performative speech.

In the New Testament, God is identified as "the Word" (Jn 1:1). This Word was made flesh (Jn 1:14). Jesus heals the sick (Mt 8:5-13), raises the dead (Lk 8:54; Jn 11:43), grants forgiveness (Mt 9:2 and parallels) and promises eternal life to those

⁵³⁸ The "Oil for Food Scandal" implicated the highest officials.

⁵³⁹ Wink, *Engaging the Powers*, 73.

who believe that his inspired words come from the Father (Jn 6:63; Jn 8:28). Here again the performative character of God's speaking is evident, and it is through this performative power of the word that God brings freedom – freedom from sin, slavery, oppression, even from death. In biblical terms, everything is brought back to the revelation that God speaks and, through speech, acts in his creation, directing, judging, restoring, governing. Because God's word is a covenantal word, it testifies to the character of God as revealed in Christ who declared it to be the truth, and faithfully "performed" the Father's word even unto death.

Through the word God calls people to "imitate" him by relating to the world through language as he does, thereby fulfilling the image of God. Hence language can never be without meaning; what measures its "productivity" is the trustworthiness with which it reflects God's character (see Chapter 5), for when word and authenticity become disconnected, representational failure ensues which bears its own consequences (Mt 12:31-37).

It is this realm of human speech which, according to Ellul, is in a deplorable state. On the one hand, "... all human language draws its nature and value from the fact that it both comes from the Word of God and is chosen by God to manifest himself".⁵⁴⁰ On the other hand, "the habit of speaking without saying anything has eaten away at the word like a cancer".⁵⁴¹ As a result, speech has become increasingly useless, because "we have an excess of talk devoid of meaning and veracity". Humanity drowns in a "flood of deceptive verbiage". Not only has excessive information destroyed the quality of words but, more significantly, language has become anonymous. There is no relationship. When there is no longer a person behind the word and if no responsible life backs up human speech, no moral weight can be attributed to it; then language becomes mere noise and illusion.⁵⁴²

This devaluation of the word is the reason that we can no longer look for moral weight in political, commercial or diplomatic discourse, for the words proclaimed have

⁵⁴⁰ Ellul, *Humiliation of the Word*, 109.

⁵⁴¹ *Ibid.*, 155.

⁵⁴² *Ibid.*, 156-157.

become separated from the persons who speak them. This brings me to the point of my argument.

The language adopted in the UDHR was given the form of “performative speech”.⁵⁴³ However, as I pointed out in Chapter 4, some governments saw it as a rhetorical device to help secure publicity in cases of gross human rights violations by other nations. Others, like the Soviet Block, used it for propaganda purposes on behalf of socialist ideology. Nations with autocratic governments such as the Islamic states were not serious about standards that would redefine the relationship between the individual and the state that challenged the nature of their rulership. Even democratic nations, like the USA and the UK, refused to deal with their own contradictions. To this day, the nations behave as if the words of the UDHR and those of its treaty instruments were divorced from what they signify. For one thing, it is anonymous language. There are no persons, only “state parties”. Moreover, the personal element is entirely absent from the deliberations of the Human Rights Commission. A typical sentence reads, “The Committee is concerned that according to information supplied by non-government organizations torture may be practiced on a widespread basis in China”.⁵⁴⁴

But when language is treated as if it were devoid of meaning, moral devaluation occurs. Let me illustrate by taking the prompt from the above reference

⁵⁴³ Its Preamble reads:

“Now, therefore, the General Assembly proclaims - This Universal Declaration of Human Rights as a common standard of achievement for all peoples and nations, to the end that every individual and every organ of society, keeping this declaration constantly in mind, should strive by teaching and education to promote respect for these rights and freedoms and by progress of measures, national and international, to secure the universal and effective recognition and observance, both among the peoples of member states themselves and among the peoples of territories under the jurisdiction”.

Performance language is also found in the Recitals of the International Covenants (ICPCR and ICESCR):

“Recognizing that, in accordance with the Universal Declaration of Human Rights, the ideal of free human beings enjoying civil and political freedom and freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his civil and political rights, as well as his economic, social and cultural rights, considering the obligation of States under the Charter of the United Nations to promote universal respect for, and observance of, human rights and freedoms, realizing that the individual, having duties to other individuals and to the community to which he belongs, is under a responsibility to strive for the promotion and observance of the rights recognized in the present Covenant, Agree upon the following ...”

⁵⁴⁴ This example was taken from Paragraph 148 of CAT Meeting report on China, April 22 and 23, 1993.

torture. The prohibition against torture is among the rights so fundamental to the preservation of human dignity that there can be no justification for its violation, even in a climate of international terrorism. Yet, not only is there widespread use of torture among certain states who are signatories to the UDHR and the U.N. Convention Against Torture (CAT), but also those states who do not practice torture routinely have been reported to transfer terror suspects to countries where they are at risk of torture and ill-treatment, in exchange for diplomatic assurances that the persons concerned will not be so treated. Governments from which such assurances have been sought include the most abusive countries in the world.

It is a matter of public record that such assurances are empty promises. Governments routinely flout their binding obligations under international law, let alone the non-binding promises of their diplomats.⁵⁴⁵ In short, words – whether spoken or written – are abstracted from what they signify. They become mere “diplomatic noise” devoid of meaning. Such words are therefore deceptive words that devalue human speech as moral speech. Instead, language is reduced to the level of technique, propaganda and illusionary rhetoric. But this devaluation of language constitutes a fundamental betrayal of humanity, for when the moral quality of language is destroyed, the possibility for the development of international goodwill and trust on which the entire human rights edifice rests is removed. Since dysfunctional communication is indicative of a subversion of relationships, the probability of human violation which thrives under such conditions is heightened as was pointed out already in Chapter 4.

Finally, since the human word is the analogue of the divine word, its moral devaluation devalues the word’s eternal referent and thus testifies to a profound alienation from humanity’s ultimate source. Human rights rhetoric under such conditions becomes futile.⁵⁴⁶

⁵⁴⁵ See Human Rights Watch, “Global Torture Ban Under Threat”, (New York) 12 May 2005 (accessed 16 June 2005); available from http://linv.org/english/docs/2005_05/12/ecal0661_txt.htm It is instructive to note that the subtitle of the article reads, “Governments cannot hide under the fig leaf of diplomatic assurances”, making direct reference to the biblical story of the fall.

⁵⁴⁶ Statesman and politician Václav Havel eloquently hints at this connection when he writes, “Politicians and international forums may reiterate a thousand times that the basis of the new world order must be universal respect for human rights, but it will mean nothing as long as this imperative does not

Striving for Omnipotence

Wherever the language of rights is spoken, it produces certain effects in the surrounding culture. It both reflects and distorts it. This has become nowhere more apparent than in American rights talk where it subverts the political process and deconstructs human personhood.⁵⁴⁷

According to Glendon, the assertion of rights first began to surge with the civil rights movement in the 1950s – 1960s resulting in an increase in litigation and a growing recognition of rights claims by the courts. As long as rights were understood as being protected by the structure of the political regime, individual rights litigation at the US Supreme Court was rare. Today, such litigation represents the bulk of the Court's constitutional workload so that more and more decisions confer rights on individuals under state and federal constitutions.⁵⁴⁸ When discriminatory and oppressive practices were removed through effective court action, the general public began to believe that litigation was the path to a better society. Social concerns were increasingly articulated in terms of conflict of rights, and rights violations.⁵⁴⁹

Since historically the American understanding of “rights” was more than any other shaped by the notion of property, protecting property rights not only governed the conception of individual rights but also limited the powers of popular government.⁵⁵⁰ Glendon notes that this vision has “promoted the belief ... that an absolute or nearly absolute, individual right was thereby created”.⁵⁵¹

derive from respect for the universal miracle of Being ...”, in *The Art of the Impossible*, cited in Jonathan Sacks, *Dignity of Difference*, op. cit. 45.

⁵⁴⁷ Mary Ann Glendon, *Rights Talk: The Impoverishment of Political Discourse* (New York: Free Press, 1991).

⁵⁴⁸ *Ibid.*, 4-5.

⁵⁴⁹ *Ibid.*, 6-7. Glendon observes that it is more efficient for activists to go to court and obtain an instant victory than to embark on the longwinded and often futile process of raising support for their grievances among the rigid power blocks of the two-party system.

⁵⁵⁰ *Ibid.*, 25.

⁵⁵¹ *Ibid.*, 43. The American paradigm of property goes back to Locke's assertion that “man has a property in his own person” and “in the labor of his hands”. Locke proposed that ‘man in the state of nature’ by mingling his efforts with what was at hand (fish, game, land, etc.) turned these goods into “property” by appropriation. Protecting property rights governed not only the conception of individual rights, but also limited the powers of popular government. It implied a vision of freedom and security

But the perception of an “absolute right” has extraordinary effects not only on the law but also on the self-understanding of the individual. It pictures the human subject as an insular and autonomous rights-bearer whose privacy is paramount, and who does not bear enforceable social/moral responsibilities towards others except to do them no harm. What is more, rights are paramount and override every other consideration. Rights promise the fulfilment of desires and the legal conception of freedom demands the absence or removal of obstacles in the path towards their realization. Thus the principle of “winning” becomes the deciding factor invoked against the rights, freedoms and dignity of others. This conception of the human person is eloquently described by the historian Jacques Barzun who speaks of the appearance in the West of the “demotic individual”, who is consumed with an insatiable desire for a life free from the consequences of its choices. This individual “wants to act as if nothing stood in the way of every wish. Such an attitude expects no rebuffs and overlooks those it provokes.”⁵⁵²

We may thus conclude that a society whose socio-political language casts its members in the “image” of autonomous rights-bearers only renders their rivalistic, litigious perception of reality more intractable, reflecting humanity's metaphysical beatitude to be like God and to possess all things totally. In this paradigm, the process of “acquisition” assumes a quasi-soteriological and therefore idolatrous function: it “saves” the post-modern self from the abyss of non-being, substituting a spurious salvation for the redemptive work of God.

This problematic becomes even more apparent when one examines the universalism of human rights. As a political institution human rights cannot deliver all rights for all. However, this inability is presumptuously perceived as a mere temporary limitation which can be overcome given enough time and effort. But trying to achieve the impossible the political process is perverted by declaring the

based on freehold title that allowed the owners to exercise the full scope of citizenship with as little dependence on others as they should choose (p. 25). This background explains why American rights language has tended from the beginning to express rights with an absoluteness that is absent in other democracies. This type of categorical and unqualified language was already present in the American Bill of Rights. Glendon draws particular attention to the First Amendment free speech provisions, to the arms-bearing provision of the Second Amendment and to the way in which judges have interpreted them.

⁵⁵² Barzun, *From Dawn to Decadence*, 781.

universalism of human rights, a problem already noted by Hans Magnus Enzensberger who offers the following penetrating insight:

The obligation [the UDHR] places on all of us, is in principle, unlimited. Here the declaration reveals its theological origins which have survived all attempts at secularization. We should all be responsible for every one else; this implies that we can all become more like God; it presupposes omnipresence; or even omnipotence. But since our scope for action is finite, the gap between the claim and the reality opens ever wider. Soon you cross over into objective hypocrisy and, in the end, the universalism reveals itself as a moral trap.⁵⁵³

In other words, living in the consciousness of the idealistic demand that all dimensions of life are to be structured by this central notion of universal human rights creates such an overwhelming sense of obligation that it must either lead to nihilistic despair or to the call for excessive political power to perform what the ideal requires.⁵⁵⁴ Neither moralizing solutions nor the rigorous application of legal remedy can obscure the real issue that human rights project as a fallen structure constitutes an ideological weapon of extraordinary potency.⁵⁵⁵ The more it seeks power, the more – one may conjecture – it may turn into an idolatrous instrumentality of humanity's striving after omnipotence, in which case its ability to resist evil will be critically compromised.

Epiphany of the Sacred

Wherever mimetic violence occurs it is accompanied by mythological thinking and by the loss of historical perspective. The former is deeply embedded in our psychological

⁵⁵³ Hans Magnus Enzensberger, *Civil Wars: From L.A. to Bosnia*, trans. P. Spence and M. Chalmers (New York: The New Press, 1994), 58.

⁵⁵⁴ The political agenda of neo-right-wing groupings in Europe reflect already such a proposal. They advocate a return to pagan values where the strong occupy the center of the cultural-political vision for only they can bring about true possibilities for all (Józef Niewiadomski, "Menschenrechte: Ein Gordischer Knoten der Heutigen Gnadentheologie", *ThPQ* 45 [1997], 269-80). With this another aspect of the argument comes into view, which Alasdair MacIntyre addresses in the closing pages of *After Virtue*: the nature of modern politics in a society that lacks moral consensus. He notes that while certain societal functions such as dealing with injustices and unwarranted suffering require the use of governmental institutions, "systematic politics [of whatever color] has to be rejected from the standpoint that owes genuine allegiance to the tradition of the virtues; for modern politics itself expresses in its institutional forms a systematic rejection of that tradition" (236-237).

⁵⁵⁵ Upon the adoption of the UDHR in Paris on 10 December 1948, Charles Malik made an important point along these lines when he said, "Whoever values man and his individual freedom above everything else cannot fail to find in the present Declaration a potent ideological weapon ..." (accessed 21 April 2005), available from <http://www.udhr.org/history/Biographies/biocm.htm>

reflexes and even heightened rationality (represented by the human rights discourse) is no immunity against a pagan, ahistorical impulse that seeks to unify society by centering its energies on a guilty victim. As an ethos this impulse is alive and well in international politics, albeit with reduced effectiveness compared with its archaic predecessor, because the scapegoat mechanism of the primitive sacred has been compromised. But in contemporary society, the sacred reappears in other forms: in the sexual and technological explosions. In their all-encompassing frenzy these phenomena express human striving for omnipotence as well as the return to the sacred, but with an important nuance that cannot be overemphasized: what appears in the sexual revolution, notes Jacques Ellul, is the “sacred of transgression,” the transgression of order – not of a “moral” kind, bourgeois or otherwise – but of the order of technological organization. By throwing themselves into the sexual revolution people seek to break free from technology’s fetters.⁵⁵⁶ Yet with uncanny reciprocity, sex and technology are charged with erotic and existential powers which in the paradox of mutual attraction and repulsion generate a unifying social dimension comparable to the orgiastic whirl of the primitive sacred.

This unifying element could not exist without adoration and devotion so that society’s infatuation with sex and technology take on a deeply religious meaning. And it is their all-embracing claim along with the terrifying oscillation between “order” and “transgression of order” that draws society into its vortex with frenzied abandon. People and nations willingly and zealously sacrifice to them as if they were gods. This re-sacralization of society through sex and technology is deeply interwoven with “rights-thinking”. It produces socio-political ambiguity accompanied by institutional decadence. Liberalism, for instance, characterized by its anti-sacrificial stance⁵⁵⁷ (the rights of the individual may not be sacrificed) will readily “sacrifice” humans to the sacred of sexual and technological revolution and in proclaiming unfettered “freedom”, it loses the ability to distance itself from the objects of its worship. This is not a new relation with reality. By placing its hopes for the structuring of a free society in the “new sacred”, this delusion will reduce that which is human to the level of sex and technology. Even the heightened rationality of the human rights discourse cannot break the power of

⁵⁵⁶ Jacques Ellul, *The New Demons* (London: Mowbrays, 1977), 78-79.

⁵⁵⁷ Wolfgang Palaver, “Schmitt’s Critique of Liberalism”, *Telos*, no. 102 (Winter 1995), 43-72.

mythological thinking that attaches to these “gods”, leaving the mimetic cycle unbroken and humanity’s violent propensities intact in the face of a sacrificial crisis.

HUMAN RIGHTS IN CRISIS: SUMMARY OF LIKELY CAUSES

In the preceding discussion I have argued that human violence is grounded in a perverted image of God which casts the Creator into the role of an envious rival. According to Girard, such an image belongs to the realm of mythical projection. Its destructive effect on the personal and structural dimensions of human existence is radical. Let us review some of the key points.

I began by demonstrating the hermeneutic value of mimetic theory for Biblical texts. It demythologizes the rubric of sacrifice, and – as in non-biblical contexts – detects the victimage mechanism thereby facilitating a non-sacrificial reading of the Biblical material. It makes possible an alignment of the divine image with the non-violent witness of Jesus as portrayed in the Gospels, particularly in the account of his Passion and the resurrection appearances. As the One who is utterly free from sacred violence, Jesus contradicts and criticizes the world’s power structures which rely for their self-justification on the myths and laws of violence.

Our discussion then turned to the Christian concept of sin. It was defined not merely as personal moral failure or transgression but as a malignant entity in human nature and in the world. This malignancy was seen as the collective expression of humankind’s rebellious assertion against God or the deliberate attempt to expel him from the human sphere. Sin, therefore, refers to a perverse disposition towards the Creator which now shapes humankind’s mind, will and conduct. This corruption has defaced the image in which humanity was created such that our “mimetic imagination” now reflects humanity’s resentful concupiscence rather than its desire for God. By projecting human envy on the transcendental screen and reading it back as the true divine image, humanity created a counterfeit deity (the primitive sacred) that would lead inexorably to a murderous mimesis, desiring even the death of God.

Psychologically this deathwish against God surfaces every time humans resist the call to deeper and more mature selfhood. It is the attempt to undo the call to life.

But to desire something other than the life of God is the same as desiring an absurdity, namely his absence, even his death. This death wish is the most basic root of violence, as Bellinger notes. By the same token, as image bearers, we are conformed to the image of the one by whom we are made. If humanity desires the death of God, it consigns itself to rivalrous self-destruction unless such murderous desires towards God are transformed.

Since this deep-seated malignancy is not only lodged in individuals but also in the structures of society, humanity brings forth a host of social evils such as genocide, terrorism, endemic violence. These in turn menace life itself through often consequential phenomena such as worldwide starvation and ecological degradation. Admittedly, the human rights project seeks to overcome these radical threats to our humanity. However, when we critically examine the human rights paradigm, an utopian, systemic presupposition is disclosed. Article I of the UDHR affirms as the basis of peaceful human sociality “the spirit of brotherhood”. This interior disposition, it is presumed, will progressively emerge within the “the human family” to the degree the collective implementation of the human rights agenda is perfected. However, such an expectation lacks proper foundations. According to Girard, the judicial system is the heir of the sacrificial order. Because the human rights system places its trust in the “rule of law”, it belongs structurally to this sacrificial order. The human rights system, in order to legitimize itself, must retain violence as a means of last resort, for without the authority of violence the rule of law is meaningless (cf. Chapter 4). This compromise with violence, however unwitting, suggests that the “spirit of brotherhood” referred to in the UDHR is in fact relying on the unanimity of the victimary mechanism. While it generates a kind of peace, it owes its origins to the victimary principle. Thus it rules out the possibility of even approximating the ideal promulgated by the UDHR. Girard writes: “what goes now as human rights is an indirect acknowledgement of the fact that every individual or every group of individuals can become the ‘scapegoat’ of their own community”.⁵⁵⁸ Not only is there a fundamental flaw in the system in that it misconceives the reality of the human condition, but by placing emphasis on human rights it claims the impossible

⁵⁵⁸ Girard, *I See Satan Fall*, 167-168.

of mounting “a formerly unthinkable effort to control uncontrollable processes of mimetic snowballing”.⁵⁵⁹

What this analysis has identified are likely yet unrecognized causes for the human rights crisis. They may be summarized as follows:

- The unconsciously held envious and murderous intent of humanity toward the Creator works as a causally effective influence in individuals and society. It manifests as the irrepressible tendency to mimetically scapegoat others which is functionally identical with the unwillingness to bring envy and violence into the open at personal and systems level. Its power base is an untruth, collectively held, which deceives humanity to place trust in the possibility of meeting its ontological neediness without a reference to the Creator. This condition renders all members of the human race powerless to transform human desire into non-rivalistic and benevolent modes.
- Since the human rights project belongs structurally to the same order, it lacks the Archimedean point outside the system it seeks to scrutinize. Moreover, as a system of rights it cannot make people better, only more envious. This feature is conditioned by an inherent weakness of the “rule of law” in a fallen world. Since law depends on the dominance system for legitimacy, it cannot constrain its evolution towards the maximization of power. This weakness derives from the mimetic influence of envy working on the law itself. It intensifies the desirability of the very thing the law prohibits. In short, the law – weakened by sin – works against itself. Moreover, the human rights system leads to self-assertive claims to sovereignty with a concomitant bias towards violent resolution of conflicts.⁵⁶⁰

This result of our analysis raises the question of hope. The conclusion of this chapter offers a preliminary reflection to be deepened in the remainder of the study.

⁵⁵⁹ Girard, *I See Satan Fall*, 168.

⁵⁶⁰ See Chapter 2, “Arsenals of Annihilation”.

CONCLUSION

Whence Our Hope?

Judging from the foregoing, the answer to this question is bound up with the relation of between violence and the social order. As intimated, violence left unappeased will rise within a community and eventually overflow previously fixed boundaries. Since the sacrificial mechanism is compromised by its disclosure, it can no longer “redirect violence into ‘proper’ channels”.⁵⁶¹

On the surface it would appear that such a need is greatly diminished in modern society through the pervasive presence of the “rule of law”. Yet, the scapegoat archetype is nevertheless at work in the psychological underground of the self and society. This presents the twofold problem of how to dismantle this archetypal structure and how to set people free from the envy that drives it. Theologically, it is a question of addressing humanity’s ontological neediness including the recovery of the true image of God. Assuming a Girardian reading of the doctrine of redemption, the gospel answers to both needs, because in the Christ event God broke the cycle of vengeance.

That this liberating effect is actually occurring in the world may be seen in a phenomenon which appears to be unique in human history: the modern preoccupation, even obsession with victims. Girard writes, “No historical period, no society we know, has ever spoken of victims as we do ... Examine ancient sources, inquire everywhere, dig up the corners of the planet, and you will not find anything anywhere that even remotely resembles our modern concern for victims ... It is the secular face of Christian love”.⁵⁶² Girard observes that a slowly accelerating socio-cultural revolution has been under way since the Middle Ages. In its wake, social evils such as public executions, slavery, serfdom, child labor and many other social injustices have been gradually abolished, while care for the sick, the disabled, the

⁵⁶¹ Girard, *Violence and the Sacred*, 10.

⁵⁶² Girard, *I See Satan Fall*, 161, 165.

hungry and homeless is at an all-time high. Concern for victims makes this stage of society unlike any other.⁵⁶³

Certainly, the human rights paradigm including its international legal framework and concerns must be seen in this light. However, there is another side to this hope-inspiring picture. Concern for victims, as James Williams has pointed out, is a value which the Judeo-Christian ethics has injected into society that has become the new *absolute* value of the modern (Western) world.⁵⁶⁴

The influence of the tradition emanating from Jesus Christ is apparent when even the lowliest member of the human race is regarded as a person of value and dignity. While the UDHR reflects this view, a serious distortion results when this absolute value takes the form of a new political ideology that exploits the status of the victim.⁵⁶⁵ Then the political determination of “victim status” becomes the new moral and political high ground, with the result that self-seeking concern for power overrides any true concern for victims.

Why would this be so? Given the context of our analysis so far, it would seem that neither the scapegoat mechanism (nor the power of sin that drives it) is quite dead, even if it is now more clearly identified. Humans are still subject to mimetic desire, engage in retaliation and give way to violence despite this obvious and progressive political identification with victims. Expression of this ambiguity is not the voice of undue pessimism but of desire to understand the obstacles blocking a more humane future. I have already pointed to how the noble initial goals enshrined in the UDHR have moved in the direction of power-seeking (cf. Chapter 4). Sixty years after the UDHR, even though the concern for victims now determines ‘what is right’ in all spheres of life, there is good reason for Mary Robinson’s lament. As Girard notes, the arrival of “victim power” and the movement towards a planetary civilization is not coincidental.⁵⁶⁶

⁵⁶³ Girard, *I See Satan Fall*, 161-169.

⁵⁶⁴ Williams, “Foreword”, in Girard’s *I See Satan Fall*, xxii.

⁵⁶⁵ *Ibid.*

⁵⁶⁶ Girard, *I See Satan Fall*, 177.

If human violence is indeed rooted in a perverted image of God, it is logical to suggest that only the restoration of the true image of God can bring healing and lasting peace.⁵⁶⁷ As we shall see in the remainder of the study, there are social, even political implications of a theology of redemption, especially when it takes into account the mimetic character of human identity. In this light, the inherent logic of God acting in history for our salvation will appear in the next chapter as we deepen the theological inquiry into the restoration of the image of God in the realm of the human creation.

⁵⁶⁷ In this context it is noted that Girard has criticized the church for failing to read the gospel message in non-sacrificial terms. As a result, a distorted theology held (and continues to hold) sway. It permitted God to be still seen as one who demanded victims. This left the scapegoating mechanism intact for centuries, so that Christendom until recently continued to scapegoat others, especially Jews and heretics.

CHAPTER 7

RESTORATION OF THE IMAGE OF GOD

INTRODUCTION

The two preceding chapters developed a multi-layered theological perspective of human mimesis and of its sinful distortion. They also alluded to the possibility of conflictual desire being pacifically transformed. This chapter aims to explore the possibilities of transformation with reference to Raymund Schwager's theology.

Since Schwager addresses theologically the *mysterium tremendum et fascinans* of human culture – the internalized structures of scapegoating which we have identified as the principal cause of inter-human violence – his work is of special value for our thesis. He provides a new perspective on our central question: “Is there an answer to human violence?” With Schwager, we argue that the Christian gospel is able to breach the ancient system of retribution and vengeance and restores the image of God. It subverts through forgiveness the scapegoat mechanism inscribed into human experience by “satanic accusation” thus transforming human desire.⁵⁶⁸

THE DRAMATIC THEOLOGY OF RAYMUND SCHWAGER

Theology as Drama

The centre of Schwager's theology, in regard to its method and content, is without doubt “the drama of Jesus”. His is a deeply spiritual theology, lived and grounded in the experience of the Ignatian exercises.⁵⁶⁹ Guided by the Old Testament, Schwager

⁵⁶⁸ Since Schwager adopts Girard's mimetic theory, he has been subjected to the same criticism that Girard has received. While Girard has been accused of poor biblical exegesis, it must be noted that Schwager does not rely on Girard for the interpretation of scripture, but only on his anthropology. In relation to human desire, Schwager holds (and so does Girard) that God is the true object of human desire. Since, in the present state of humanity, mimetic desire is resentment against God (Chapter 6), it is ultimately futile unless it is redeemed.

⁵⁶⁹ Roman Siebenrock, “Theologie aus unmittelbarer Gotteserfahrung – oder von der gefährlichen Faszination der Sünde für die Theologie”, in *Vom Fluch und Segen der Sündenböcke*, ed. Józef Niewiadomski and Wolfgang Palaver, Beiträge Zur Mimetischen Theorie vol. 1 (Thaur: Kultur Verlag, 1995), 69-91, 72.

detects a particularly privileged entry point into the “problematic of God” in the history of the Jewish people, whose faith tradition was radically transformed through violence experienced as well as committed.⁵⁷⁰ They were both victims of violence as well as perpetrators to which the drama of Jesus testifies with particular poignancy. Thus both testaments provide Schwager with the contours of a single drama that is being played out between God and humanity.

In his *Brauchen wir einen Sündenbock?* Schwager presents a new biblical hermeneutic based on the categories of Girard’s theory in which he spells out the problematization of violence in the Old Testament. Yahweh was believed to be the perpetrator of violence par excellence. Yet, step-by-step, this perception was being recognized as an illusion as violence was radically questioned through the presentation of a non-violent image of God. However, as Niewiadomski points out, this “falsification” of the issue of violence in relation to the divine image does not solve the problem of violence, for even a non-violent image of God does not necessarily remove violent human conduct.⁵⁷¹

Yet it is precisely the drama of the life and death of Jesus that is, according to Schwager, centrally inscribed in the history of this transformation. He proceeds to explore the history of that transformation through the message of a radically non-violent God, which renders Schwager’s dramatic theology of the utmost relevance for our thesis. He posits a transformation of the divine image in Jesus Christ such that it rectifies what human sin had perverted. When the image of God as an envious rival is transformed, a new possibility for a pacific sociality within the human sphere is opened up.

Like von Balthasar, Schwager sees the drama enacted within the process of salvation history as a field of tension between uncreated and created freedom. God acts, but humans fail to respond. Schwager distinguishes between different acts within the redemptive action of God. There are no spectators, only actors who

⁵⁷⁰ Józef Niewiadomski, “Das Drama Jesu: Raymund Schwager's Kruzformel Des Glaubens”, in *Vom Fluch und Segen der Sündenböcke*, ed. J. Niewiadomski and W. Palaver (Thaur: Kultur Verlag, 1995), 31-47.

⁵⁷¹ *Ibid.*, 31-32.

determine how the drama will unfold. Future events are therefore by no means fixed but emerge in response to the proclamation of the kingdom or reign of God.⁵⁷²

The thematic of the “actions of God” in history is central to Schwager’s theology. Yet it is the pathos of God as it is expressed in the biblical text that renders it “dramatic”. The drama is reflected in the tension between God’s goodness and the severity of his justice. This dominant theme in the Old Testament gives rise in the New Testament to a particular hermeneutical problem: how can we relate the ostensible severity of Jesus’ judgment sayings to his non-violent teaching and conduct and the post-Easter gathering of the new community?

Schwager sees a dramatic view as a necessary mediator between systematic theology and an historical-critical exegesis of individual texts as it “gathers larger groups of texts under key words and coordinates them on the model of conflictual action”.⁵⁷³ The dramatic view also forestalls any reading of the biblical text as a series of disjointed episodes which would miss the *one* story the text wants to tell. Applied to the account of the life of Jesus Christ, it produces a drama in five acts.⁵⁷⁴

⁵⁷² Schwager, Raymund Schwager, *Jesus in the Drama of Salvation; Towards a Biblical Doctrine of Redemption* (New York: Crossroad, 1999), 10-12. The kingdom of heaven or the kingdom of God is the central theme of Jesus’ preaching in the Synoptic Gospels. The concept originated with late Jewish expectations of a decisive intervention of God that would restore the former glory of Israel, especially the liberation from oppressive foreign occupation. It is Israel’s expectation for the future par excellence for which the coming of the Messiah was going to prepare the way. By the time of Jesus, this expectation had taken on many different forms combining national, eschatological and apocalyptic elements. When John the Baptist and Jesus proclaimed, “the kingdom is at hand” (Mt 3:2), it was “an awakening cry of sensational and universal significance”. The great turning point in history had arrived. But Jesus’ proclamation differed from that of John the Baptist in two respects. Jesus emphasized the saving aspect of the kingdom without relinquishing the need for repentance, and the kingdom was not an *event* of the (immediate) future but was present in his *person*, preaching and ministry, cf. casting out demons and forgiving sins with authority. Jesus himself was the embodiment of the kingdom (H. Ridderbos, “Kingdom of God, Kingdom of Heaven”, in *The New Bible Dictionary*, ed. F. F. Bruce *et al.* [Leicester: Intervarsity Press, 1962], 693-97). I have used the terms “kingdom of God” and “reign of God” synonymously with Schwager’s term “the basilea”.

⁵⁷³ Schwager, *Jesus in the Drama*, 16.

⁵⁷⁴ *Ibid.*, 29-158; interestingly, New Testament historian N.T. Wright sees the entire biblical story as God’s drama in five acts (Wright, *Paul: Fresh Perspectives*, 171).

The Problematic of Divine Violence

As indicated, one of the foremost questions in Schwager's theology is why divine violence should play such an explicit role in the Old Testament.⁵⁷⁵ From Genesis to Malachi, over one thousand passages speak of divine violence. No other theme occurs more frequently. Schwager distinguishes four categories: (a) irrational and incomprehensible outbreaks of divine violence; (b) personal revenge for evil acts committed by humans; (c) venting anger on evildoers by handing them to others for cruel treatment; (d) punishment of the wicked by letting their deeds recoil on them.⁵⁷⁶

Because modern Old Testament theology does not know how to deal satisfactorily with this phenomenon, Schwager turns to Girard for answers.⁵⁷⁷ Girard's theory implies that any reading of biblical texts which speak of arbitrary outbreaks of "divine" violence must be correlated with spontaneous occurrences of human violence. To the mind of the primitive community, even when the true God begins to reveal himself, he will be first understood in terms of the sacred, which presumes unpredictable violence.

But what of the repeated references to divine retribution and vengeance which occur in the writings of both testaments? According to Schwager, when passages in which "Yahweh appears as a consuming fire and as an angry and avenging god" are correlated with the idea of sacred violence, it can be shown that the humans who "aroused" his anger are also the ones who committed acts of violence.⁵⁷⁸ In other words, in all such cases divine violence and vengeance represent the phenomenon of the sacred in the context of mimetic violence.⁵⁷⁹

⁵⁷⁵ Raymund Schwager, *Must There Be Scapegoats?* (San Francisco: Harper & Rowe, 1987), 66.

⁵⁷⁶ Schwager, *Jesus in the Drama*, 61-62.

⁵⁷⁷ *Ibid.*, 67. Schwager admits that not all such events may be classified in this way. The destruction of Sodom and Gomorrah is one such example. Since the prophetic books speak a different language on the question of God's violence (while Yahweh may be threatening avenging action against human misconduct, the prophets only record human violence against each other) Schwager concludes that these stories may be remnants of an older mythical tradition.

⁵⁷⁸ *Ibid.*

⁵⁷⁹ The language of vengeance and retribution resonates deeply with the human psyche. It easily evokes an archaic image of the divine (Schwager, *Jesus in the Drama*, 17). This arouses moral protest

As Girard has pointed out, ancient communal identity was deeply rooted in the sacred system of revenge and retribution.⁵⁸⁰ Indeed, it is embedded in Israel's legal structure. However, Israel did not trace the doctrine of retribution to a mythical past but to the giving of the covenant. Accordingly, Israel's common perception of divinity was of Yahweh as its redeemer. Divine and everlasting love overflowed with compassion towards the covenanted people. Even if divine retribution should bring devastation to land and livelihood, Israel's faith in the goodness of Yahweh was paramount. Schwager seeks to explain this obvious tension by suggesting that where the biblical text retains the language of retaliatory injury, we may be dealing with a linguistic relic. The idea of retribution belong to the very core of the sacred order and has thus shaped the language accordingly, yet this "archaic survival"⁵⁸¹ may be open to new meaning, if indeed, as Schwager holds, the system of vengeance is actually breached in the New Testament.

From this point of view, we detect in the biblical language of vengeance and retribution outcrops of an archaic substrate. It evokes a mythic "sacred order" which in more literal interpretations has been accepted as revelations of the true God. However, the God of the sacrifices is not a wrathful deity, nor were the sacrificers particularly wrathful in performing the act. Rather, they slaughtered the sacrifice in a

in the modern mind. Here we meet one of the fundamental questions which this study seeks to address, namely, whether it is not precisely on account of such an unconscious image of the sacred (the perverted image of God) that vengeful violence has remained for so long a determining element in human history.

⁵⁸⁰ Schwager, *Jesus in the Drama*, 17. Schwager refers here to the work of R. Verdier (R. Verdier, ed, *La Vengeance*, Études d'ethnologie, d'histoire et de philosophie [Coll. Échanges] Vol. 1, ed. Verdier [Paris, 1980] ; R. Verdier, ed, *Vengeance et Pouvoir dans quelques sociétés occidentales*, Vol 2, ed. Verdier [Paris, 1980]; R. Verdier, ed, *Vengeance, pouvoir et idéologies dans quelques civilisations de l'Antiquité*, Vol 3, ed. Verdier et J. Poly [Paris, 1984]; R. Verdier, ed, *La Vengeance dans la Pensée Occidentale*, Vol 4, ed. G. Courtois [Paris, 1984]). In the light of these findings, Schwager has asked whether the interpretation of the Christian doctrine of redemption can rightly be situated within a framework of divine retribution or whether it actually breaches the system. In this context it is also noted that Verdier's studies have shown that retribution and vengeance are far from arbitrary affairs in tribal society. They are subject to strict rules and are carried out in a ritual fashion according to the norms of sacred tradition. Vengeance is "sacred" duty and contributes to the identity of the group. It is always carried out between primary groups, not between individuals. It is a form of exchange so that vengeance becomes "retaliatory injury". While these studies allege a correlation between examples and images of vengeance in tribal society and those in the Old Testament, they make no allowance for the development Israel's faith under the influence of Yahweh (Schwager, *Jesus in the Drama*, 18-19).

⁵⁸¹ As Gerhard von Rad has pointed out, "archaic survivals" are known in all religions and Israel was no exception (Gerhard von Rad, *The Message of the Prophets* [London: SPCK, Study Edition, 1976], 66).

dignified manner and in so doing evoked an unconscious channeling of their own violence. The prophets first thematized this violence when they criticized the temple cult and denounced as religious fiction the expectation that peace and security will issue from sacrificial practice. They began to point to the oppressive social order. Against this, they invoked the “wrath” of the God of the Exodus whose promises still stood. For Schwager, therefore, the wrath of God is not a mere projection of a violent human imagination but a necessary stage in revelation history which is transcended in the drama of Jesus. Before we turn to this argument, let us seek to understand more clearly Schwager’s position on some of the tensions involved.

The Dialectic of Justice and Mercy

Neither the Old nor the New Testament offers an obvious solution to the tension between God’s mercy and God’s justice. On the face of it, both Testaments present an image of God that is merciful as well as wrathful. Contrary to popular views, Schwager suggests that it would be more consistent with the biblical text to posit a fundamentally more severe image of God in the New Testament than in the Old. Many Old Testament passages show God as punishing and vengeful. But its severest judgments often meant “early and violent death”. Only in the New Testament do we encounter the threat of *eternal* punishment. From this perspective, the retributive justice of the New Testament is far more severe than anything in the Old Testament.⁵⁸²

Beginning with Marcion, the history of theology has known numerous attempts to resolve this problem. Marcion advocated a rejection of the OT altogether. Irenaeus, however, taught that God’s severity was reconcilable with his love because he punished humans for their good. As plausible as such an interpretation may have been for the patristic mind, Irenaeus did not answer the more far-reaching question of the pedagogical value of *eternal* punishment. Nor did he consider how fallen human beings could possibly “stand the test of God’s justice”.⁵⁸³ Augustine, on the other hand, held that both incomprehensible kindness and relentless severity belonged to the eternal God. In his soteriology he resolved the tension by proposing a [double?]

⁵⁸² Schwager, *Jesus in the Drama*, 3.

⁵⁸³ *Ibid.*, 3.

predestination. Because of original sin, all people stand under God's punitive judgment. But only some – in the sovereign grace of God – experience his kindness. The rest are left in their reprobate state and consigned to eternal damnation without escape.⁵⁸⁴

According to Schwager, Augustine's solution is comprehensible only in a dualistically framed theology. Only if the opposition of good and evil is necessary for the perfection of God does the doctrine of predestination make sense. Schwager writes,

This view of the world, which sees evil in inner tension with good and which must correspond to a deep human perception, makes it in some measure understandable why the problematical doctrine of predestination was tolerable and even almost self-evident, not only to Augustine but also to Western Christianity over a very long period.⁵⁸⁵

At this point it is noteworthy that the New Testament nowhere portrays God as a cruel tyrant who demands the suffering and death of an innocent victim in order that the guilty party may escape his anger. Rather, in Christ, God himself entered the drama of history in order to take upon himself the consequences of human sin and unbelief. He allows himself to be exposed to the destructive actions directed against him. He accepts his death not in order to gather grapes for the vine-press of divine vengeance, but to offer forgiveness to all.

For Schwager, the wrath of God is always a figure of God's goodness, that is, the positive outgoingness of his supreme holiness which is profoundly dissatisfied with the present state of his beloved creature. Divine wrath can only be understood in the context of humanity's violent history. As the previous chapter has shown, the reality of God confronts and negates all human efforts of self-salvation. It follows then that, ultimately speaking, genuine salvation is only thinkable against the background of God confronting humanity with its condition, as also Ralph Miggelbrink reminds us,⁵⁸⁶ in order to open up possibilities of healing.

⁵⁸⁴ Schwager, *Jesus in the Drama*, 5.

⁵⁸⁵ *Ibid.*

⁵⁸⁶ Ralf Miggelbrink, *Der Zornige Gott* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2002), 139-41. He writes, "Der Zorn Gottes ist somit bei Schwager eine Gestalt der Erscheinung seiner Güte in

THE UNFOLDING OF THE DRAMA

Jesus – The Divine Image

According to Christian understanding, Jesus Christ is the guarantor of the unity of the Old and New Testaments. Furthermore, in accord with a constant Johannine theme, his words and actions are the direct revelation of the Father.⁵⁸⁷ As the self-revelation of God, he is the interpretive key to the drama. In him the divine author's intent is to be found. In this perspective, all events of revelation history ought to be interpreted "backwards" from the Christ-event.⁵⁸⁸ But Schwager moves cautiously here. He treats Jesus' claims initially as a working hypothesis that needs to be tested for coherence against the post-Easter reports. Only after this assessment will he relate the claims of the earthly Jesus positively to the idea of the "author's appearance" in the drama.⁵⁸⁹

The centrality of Jesus in the God-drama (in whom all other actors and actions find their coherence) produces several consequences for the interpretation of both Testaments. If Jesus is the *sole* hermeneutic key through whom the whole drama becomes intelligible, it is arguable that the Old Testament (even though as a whole it is "the word of God") must consist of texts that mingle revelation with human projections.⁵⁹⁰ In other words, an intelligent reading of the biblical text requires that it be interpreted in the light of the words and actions of Jesus Christ who claims to speak and act completely in concert with the author.⁵⁹¹ At the same

dem speziellen menschlichen Kontext der charakteristisch menschlichen Gewaltgeschichte, die resultiert aus der Konfrontiertsein des Menschen mit der Wirklichkeit Gottes".

⁵⁸⁷ Cf. particularly John 8:54; 10:15, 30, 38; 12:50; 14:6, 9-13, 20; 15:9-11; 15:23; 17:1-5, 24-25.

⁵⁸⁸ See Raymund Schwager, *Der Wunderbare Tausch: Zur Geschichte und Deutung der Erlösungslehre* (München: Kösel Verlag, 1986), 8-30.

⁵⁸⁹ Schwager, *Jesus in the Drama*, 153-158.

⁵⁹⁰ The latter still bear important albeit indirect revelatory functions (Wandinger, *Sündenlehre*, 185).

⁵⁹¹ Raymund Schwager, "Biblische Texte als Mischtexte: Das Hermeneutisch-Spirituelle Programm der Entmischung," *Katechetische Blätter* 19 (1994), 698-703; also Wandinger, *Sündenlehre*, 184. "Mischtexte" are texts which contain both divine revelation and human projections. Given the presence of the author on stage, notes Wandinger, it is not essential that the words and actions of the support cast always express the view of the author. To discover his view, it suffices to compare their

time, Jesus' claim to be the self-revelation of God can only be sustained if it can be shown that he presents an unchanging and non-conflictual image of God. Otherwise his claim would be open to question. However, there is a tension in that Jesus introduces "countless small shifts in meaning" from within the faith tradition of Israel. These add up to his representation of God in a new way.⁵⁹² This new image will come into sharper focus as we follow Schwager through his interpretation of the divine drama itself.

Drama in Five Acts

Act 1 – The Message of the Kingdom

Jesus' proclamation that the "kingdom of God is at hand" (Mk 1:15) inaugurated a new move on God's part.⁵⁹³ The God of Israel was about to reign. The intimacy between Jesus and the God he invoked as "my Father" is, according to Schwager, the most plausible basis of his proclamation. Everything flowed from his "Abba-experience".⁵⁹⁴ Jesus' proclamation of the imminent reign of God was authenticated by many signs: the blind received their sight, the lame walked, the dead were raised and the poor were given good news (Isa 61:1-2; Lk 4:16-21; Lk 7:22). Physical healings were accompanied by a radical overthrow of evil powers when they had taken possession of human beings (Lk 11:20). He saw "Satan fall like lightning from heaven" (Lk 10:18-19).⁵⁹⁵ These two factors, healing of the sick and the overcoming of evil powers were the sign that the long-expected time had arrived. However, Jesus was concerned not with miraculous events as such, but with the "spark of faith" he

words and actions with the central figure in the drama; even the very notion of drama is derived from the implied tension (*ibid.*).

⁵⁹² Schwager, *Jesus in the Drama*, 112.

⁵⁹³ Already the prophets foresaw such a "new" act of God, however, with the proviso that the "old" had not become entirely obsolete. The old offer that Israel should be God's people and obey him was still valid. Rather, the newness, as Gerhard von Rad notes, was to be expected in the human sphere (Jer 31:31). Ezekiel, too, spoke of a human recreation, while Isaiah sees the renewal in a new covenant (von Rad, *The Message of the Prophets*, 236-237).

⁵⁹⁴ Schwager, *Jesus in the Drama*, 30.

⁵⁹⁵ Schwager sees in this text a major shift away from the traditional image of God. He writes, "According to the Jewish imagination, Satan was the great prosecutor of humankind (see Job 1:6-20; Zech 3:1-2; Rev 12:10). Through his fall from heaven, from the place where God was imagined to be, the element of prosecution was eliminated from the image of God" (*ibid.*, 31-32).

sought to ignite in his hearers. Their response would determine how the drama would unfold in detail.

For Schwager the central issue is God's decisive turning towards sinful humanity. This was the good news, not the fulfilment of Israel's eschatological vision. Those who on the basis of rabbinic interpretation of the law had been excluded from the community were now invited into intimate table fellowship. In this context, Jesus was criticized for "eating with tax-collectors and sinners" (Mt 9:11 and parallels). But he insisted that the time for the forgiveness of their sins had arrived. Yet God's turning towards sinners in a new way was not an end in itself. For it was the will of the Father to create a new community to be characterized by love, forgiveness and healing of the ravages of sin and death. This new community was to be gathered around the central figure in the drama, Jesus himself.⁵⁹⁶ He sought out weak, lost and alienated human beings in order to integrate them into a new community in which violence was no longer the determining factor. In short, God was acting in and through Jesus' proclamation of the reign of God.

Yet there are questions. Niewiadomski observes, in reference to the kingdom Jesus announces, that "the undeniable presence of violence [in the words of Jesus] does not only pose ethical challenges, but also remains a theological thorn in the flesh of the message itself".⁵⁹⁷ How can the "violent words" of Jesus be related to God's "*unconditional*" turning towards sinners? Certainly, Jesus aimed to provoke an appropriate reaction from his hearers. But what if they refuse or if they – because of their entanglement with sin – are too "sick" to respond? And, given Jesus' command of unconditional love of enemies, what will happen to his enemies? Are they also liberated from the diabolical circle of mendacity and violence? Will they be excluded, because of their rejection of Jesus, from the new community he calls into being? If so, it would mean that the kingdom was established on the principle of expulsion, and the scapegoat mechanism would be still in effect. On the other hand, can the kingdom of God be totally without boundaries? After all, Jesus himself spoke of insiders and outsiders.

⁵⁹⁶ Schwager, *Jesus in the Drama*, 36-44.

⁵⁹⁷ Niewiadomski, "Das Drama Jesu", 33-34.

These are crucial questions. In his efforts to answer them, Schwager ventures outside the circle of scholarly consensus,⁵⁹⁸ evoking predictably considerable criticism.

Act 2 – The Rejection of the Message and Judgment

The “big [and] unsettling problem” in any theology of redemption is the relationship between Jesus’ offer of salvation and his threats of judgment and hell-fire to those who refuse it.⁵⁹⁹ In the light of the first Act, Schwager asks whether this undeniable harshness is attributable to God or to the human decision of “rejection”. Jesus is intent on provoking a decision on the part of his hearers. In this regard, Polag discerns two levels of communication at work.⁶⁰⁰ One level relates to the proclaimer and his message; the other to the situation of rejection. Following Polag’s distinction, Schwager considers that these two levels should not be confused. The offer of salvation belongs to the realm of God’s will which Jesus obeys by offering forgiveness whether the sinner was prepared to accept it or not. By contrast, the judgment sayings are to be situated in the realm of rejection and alienation. They are inevitable negative consequences of human decisions. The judgment sayings are thus put in perspective. The offer of grace does not presuppose repentance, but seeks to kindle it. But if its potential recipients reject it, they alone bear the consequences of their choices. In short, the judgment is not from God but results from human decisions.⁶⁰¹ The judgment sayings, then, reveal not the harshness of God but an inner dimension of rejection. On the one hand, they unveil the consequences of opposition to the reign of God, on the other they point to the dramatic situation in

⁵⁹⁸ Niewiadomski writes: “Mit solchen inhaltlichen Zuspitzungen bleibt Schwager nun auf weiten Strecken in der gegenwärtigen Diskussion allein” (*ibid.*, 34).

⁵⁹⁹ Schwager notes that these have not been sufficiently taken into account in modern exegesis. Either they have been ignored or attributed to the post-Easter community without dealing with them theologically so that the tension with the message of God’s goodness remains (Schwager, *Jesus in the Drama*, 53).

⁶⁰⁰ A. Polag, *Die Christologie der Logienquellen* (Neukirchen-Vluyn, 1977), cited in Schwager, *Jesus in the Drama*, 54.

⁶⁰¹ Schwager, *Jesus in the Drama*, 55-57.

which the kingdom of God finds itself – unconditionally promised by God, yet rejected by those who were to be its recipients.⁶⁰²

Even though Jesus faced rejection early in his career, notably from the Pharisees, he continued to present the unconditional offer of salvation. Only when Jesus perceives the “unyielding rejection” does he begin to speak of judgment. Since the offer was at least initially made to God’s chosen people, the “house of Israel”, its acceptance or rejection is not a private affair. It is an event in salvation history.⁶⁰³

While Jesus laments over Jerusalem in its rejection of his message (Mt 23:37), the most explicit example of rejection is found in the parable of the “wicked wine growers” (Mk 12:1-12 and parallels). It expresses an open violence, first towards the emissaries of the vineyard owner, and then towards his son. Schwager considers that this pattern is the hermeneutic key to “the entire Scriptures”.⁶⁰⁴ It describes humanity’s “systematic obstinacy” towards the messengers of God, beginning with Cain and throughout all Israel’s history. While the Reign of God meant salvation to those who embraced it, it also meant judgment on the entire history of human rebellion against God. Schwager sums it up this way: “The imminent expectation in the *basileia* message corresponds to an *imminent expectation of judgment*, which draws in the whole of past history”.⁶⁰⁵

Jesus pronounces a number of “woes” against the Pharisees, provoked, in Schwager’s explanation, by their self-deception. Their tendency to turn the failure of others into occasions for self-approbation has its roots in the mechanism of expulsion that blinds them to their own violence.⁶⁰⁶ The prophetic voice in Israel’s history should have led to their conversion; instead it was used to reinforce their self-

⁶⁰² Schwager, *Jesus in the Drama*, 58.

⁶⁰³ *Ibid.*, 57.

⁶⁰⁴ *Ibid.*, 59.

⁶⁰⁵ *Ibid.*, 60 (original emphasis).

⁶⁰⁶ *Ibid.*, 62-63. In this context, Schwager criticizes recent exegetical attempts to demythologize apocalyptic texts for failing to see the apocalyptic elements in contemporary history; thus they seem to fall also under the critique of Jesus in his sayings about the tombs of the prophets.

righteousness. Jesus' "woe" sayings, then, are not to be interpreted as curses but as the cry of grief that still hopes to move their hearts.

As Jesus encounters a fundamental opposition between social and cultural dynamics of the world and the values of the kingdom, it results in a situation of judgment upon the world and its ways. Yet sin tends to intensify (cf. Chapter 6). Every decision against the offer of salvation produces a further hardening of heart,⁶⁰⁷ a deeper self-deception and defensiveness. Imprisonment in the diabolical circle of envious rivalry and violent expulsion makes the offer of salvation unacceptable.⁶⁰⁸

Yet the judgment on the unmerciful wine-growers is not to be understood as contradictory to the offer of salvation. It can only be understood in the contexts of God's radical call to conversion: his judgment always remains entreaty. It aims at a change of heart. The judgment sayings of Jesus, therefore, are not verdicts pronounced against people as punishment but the announcement of unavoidable consequences of human decisions, rebellion and obduracy. They are integral to the call for repentance and conversion to the will of God. This is also borne out by Jesus' rejection of Torah's *lex talionis*: "an eye for an eye and a tooth for a tooth". The imitative mechanism implied in this law of retribution could lead only to a mirroring of the adversary. It was useless in breaking the vicious circle of evil.⁶⁰⁹ The Sermon on the Mount is in direct opposition to the dynamics of mutual scapegoating (Mt 5:38ff). We conclude, therefore, that the judgment sayings do not invalidate the message of salvation, but serve to highlight its critical nature.

⁶⁰⁷ For examples see Ex 5:11; Isa 6:8-13; Mt 7:24-27; 12:43-45.

⁶⁰⁸ As a result, there occurs what Schwager calls "the doubling of sin and hell" (*Jesus in the Drama*, 63). In the parable of the talents the master judged his steward not for the failure to act but on the basis of the cruel image of his master the steward had cultivated in order to justify his failure to act (Mt 25:26-27). Other passages with the same meaning are Mk 4:10-12; Mt 18:23-35. In Lk 6:37, Jesus points to the opposite dynamic.

⁶⁰⁹ Schwager sees the Son of Man sayings of Jesus as an indirect strategy that channels the energy of a potential confrontation away from his person. In Girardian terms, the Son of Man appears as a third person in the conflict in order to avoid the danger of the mimetic double. This leaves open the possibility for the adversary to come to a non-conflictual view about a matter of truth. If Jesus was aware of the mimetic dynamics involved, there may even be a deeper reason for the Son of Man strategy: the monstrous mimetic double ultimately assumes demonic proportions (Schwager, *Jesus in the Drama*, 79).

Yet, as Schwager points out, a major ambiguity remains. It seems to make little difference as far as results go whether an “angry” God condemns people or a “kind” God looks on as people condemn themselves. Further, if judgments pronounced on others always rebound on the one who judges, does not this apply to Jesus himself? At this point of aporia, the crucial connection is made between the judgment and suffering of Christ, as the next Act of the drama shows.⁶¹⁰

Act 3 – The messenger is judged

The third Act dramatizes the heightening conflict between Jesus and his adversaries. It culminates in his arrest, trial and execution. It is driven entirely by the envious initiative of his opponents to get rid of him. Jesus himself appears as the one “acted upon”.⁶¹¹

What underlies the action taken against Jesus is the familiar mechanism of expulsion. It issues in lies and violence, and temporally unites otherwise hostile parties in their designs against an innocent victim. Following the court hearing, mob violence emerges as a factor (Mt 26:67-68; Mk 14:65). The Romans are coopted by playing on their political fears of Messianic movements.⁶¹² What may look like accidental banding together of various groups turns out to be, from a dramatic point of view, a specific moment in history when Jews and Gentiles are gathered against Jesus (Psa 2:1). Even the disciples are affected by the mimetic pressure of rejection which is at work.

Instead of a gathering of his flock, Jesus faced a gathering of another kind: the forces of the world were aligning against him. Structurally, this universal gathering of all against one is an instance of the scapegoat mechanism. Jesus is

⁶¹⁰ Schwager, *Jesus in the Drama*, 81.

⁶¹¹ For Schwager, as for Karl Barth before him, the fact that the one who announced judgment is himself put to judgment “deserves the greatest attention” (Schwager, *Jesus in the Drama*, 82; see also K. Barth, *CD* 4/1:248). This focus is closely related to the meaning of Jesus’ death. The long debate in theological history of this question has produced many answers: Jesus bore our sins (Luther, Barth); Jesus took the punishment we deserved (Athanasius, Maximus the Confessor, Grotius); Jesus performed a vicarious act of atonement for the judgment we deserved (Anselm of Canterbury). In Schwager’s view, unless one comprehends the judgment against Jesus as part of a “comprehensive dramatic process”, the necessary experiential background for an understanding of later theological theories would be lacking (Schwager, *Jesus in the Drama*, 89).

⁶¹² Cf. the Barabbas incident of Mt 27:15-23 and parallels.

scapegoated because of the sins of others.⁶¹³ However, there is a difference in the peculiar mechanism at work. The gathering against Jesus was not an arbitrary and spontaneous confluence of hostile powers. As proclaimer of the Reign of God, Jesus had awakened the very forces that were now to strike back at him.⁶¹⁴ Note the relevance at this point of the accusation of blasphemy. It raises indirectly the question of who in this instance speaks truly of God, the accusers or the accused. The whole drama turns, then, on different images of God. Is he, the all-merciful Father whom Jesus proclaims, or is he the rival, the antipathetic God, who wills the death of his blasphemous adversaries?⁶¹⁵

What is crucial for the revelation of the true character of God is the total absence of resistance on Jesus' part. He does not seek to prevent his death. He is not simply overpowered, but refuses to meet his opponents' violence with more violence. His mission was not against his enemies but for them: "Father, forgive them, for they do not know what they do" (Lk 23:24). Jesus mirrors the Father's image, not the projection of human vengefulness. He makes God known as the source of mercy and forgiveness.⁶¹⁶

However, up to this point Schwager has not accounted for Jesus' prayer at Gethsemane. Here Jesus submits himself to the will of the Father and the path to the cross. Christian tradition has always interpreted it as a divinely appointed necessity. But if this is so, then Jesus was not so much a victim of his enemies but of the God who demanded his death. It is therefore vital for Schwager's analysis to show in which way the death of Jesus was "necessary" and how it was "the Father's will". In other words, the role of the heavenly Father in the drama has yet to be elucidated, and the meaning of atonement clarified. The following dense passage is a good indication of Schwager's explanation at this point.

He [Jesus] allowed himself to be drawn into the process of self-judgment of his adversaries, in order, through participation in their lot, to open up for them from the inside another way out of their diabolical circle and hence a new path to salvation.

⁶¹³ Schwager, *Jesus in the Drama*, 93.

⁶¹⁴ *Ibid.*, 93.

⁶¹⁵ *Ibid.*, 87.

⁶¹⁶ *Ibid.*, 101-113.

He ... turned around the intensified evil and gave it back as love redoubled. He made himself a gift to those who judged him and burdened him with their guilt. His atoning deed was not re-imbursement⁶¹⁷ for sins, so that the heavenly Father would forgive, but an act in the place of those who should have welcomed the kingdom, but who from the beginning rejected it.⁶¹⁸

In his total identification with sinful humanity, even with his executioners, Jesus experienced death as caused by human sin and thus shared the destiny of all human beings. It was not a question of the heavenly Father forgiving only after substitution for sinners, but of how Jesus replaces the warped image of God with the reality of divine love and mercy. He is so identified with sinners even as they reject him that their hostile rivalry is exploded. It occasions an even greater outpouring of self-giving love. Schwager further explicates the role of the Father:

From this perspective it cannot be said that the Father handed over the Son because he wanted to judge and punish him in place of sinners. The judgment did not start from God but from humankind, and the will of the Father was only that the Son should follow sinners to the very end and share their abandonment, in order thus to make possible for them again a conversion from the world of hardened hearts and distance from God.⁶¹⁹

The death of Jesus was indeed the Father's will, but only as a means of reaching into human hearts. The Son's death was "necessary" in accomplishing the Reign of God, although the conditions which prompted this "necessity" were dictated by fallen humanity. God allows himself to be the subject of attack as a divine scapegoat. His merciful love is not changed into something else by the violence and resentment of humankind.

Love keeps on being love unto the end. Christ's love is a love that transcends conventional morality: no morality, no examination of conscience and no psychological analysis will disclose human resentment against God. Only when contrasted to God's love – totally free from rivalry and violence – as revealed in Jesus Christ does our secret enmity come to light.⁶²⁰ Act 3 closes with the death and

⁶¹⁷ Although "re-imbursement" is the best possible English equivalent of the original "*Ersatzleistung*", the subtle substitutionary meaning that attaches to the German is lost.

⁶¹⁸ *Ibid.*, 117-118.

⁶¹⁹ *Ibid.*, 118.

⁶²⁰ Schwager, *Scapegoats*, 197. Schwager comments that the conflict between Jesus and his adversaries reveals the "unfathomable chasm of the human heart" more deeply than Girard's *Violence*

burial of Jesus. This constitutes the critical point in the revelation of God's saving intention. The Cross reveals both our hidden malaise and its remedy.

Act 4 – The judgment of the Father

We now turn to the Easter-event.⁶²¹ For Schwager, it too is to be understood as a judgment. According to 1 Pet 2:23, Jesus entrusted himself to the righteous judge to adjudicate between his claims and those of his opponents. In this context, the resurrection is not only the Father's judgment in favor of the Son. It is also a judgment in favor of sinners unwittingly caught up in a diabolical circle of destruction. In his response to the murder of the Son, the Father did not resort to retribution and vengeance, but sent the resurrected Son back with the message of peace (Lk 24:36; Jn 20:19, 26). This is the kernel of the Good News.

In the Easter-event, God had acted in a "new" fashion once again. He raised Jesus from the dead, the one who had been condemned under the law as a blasphemer and as an apparent failure in his mission. However, in this act the Father answers the prayer of the Son for the forgiveness of his executioners and for those who had previously rejected his message. There occurs what Schwager terms "the redoubling of ... [the] readiness to forgive".⁶²² God's saving action is extended to all those who had already hardened their hearts against the Son. Consequently, the Old Testament formulation "the stone that builders rejected became the head of the corner" emerges as the hermeneutical key for the gospel (Psa 118:22; Mt 21:42). As Schwager sums up:

A rightly understood doctrine of the atoning death of Jesus is therefore, even when seen from the viewpoint of Easter, not in opposition to Jesus' proclamation of the kingdom of God. On the contrary, it is precisely the peace of Easter which shows how the Father of Jesus willingly forgives, even in the face of people's hardened hearts.⁶²³

and the Sacred allows us to see. At the same time, he points to the openness of Girard's theory. On the one hand, the NT throws new light on it, on the other the theory may be understood in new ways in this other context (*ibid.*, 198).

⁶²¹ Schwager, *Jesus in the Drama*, 119-135.

⁶²² *Ibid.*, 136.

⁶²³ *Ibid.*

Since the Father at no point is reduced to the level of answering violence with violence, Jesus was destined to inevitable defeat in the world of violence. Nonetheless, he represents the non-violent image of the Father in the face of human violence. The post-resurrection appearances are not marked with a display of divine power and messianic violence. They take place with discretion, for in raising his Son from death and defeat, God is not bringing human history to an end, but enabling it to move forward in a new way.⁶²⁴

Through the post-resurrection appearances, the disciples were brought to a new understanding of the Old Testament. The image of God was made more explicit, and the prophetic “predictions” appear in a new light. Wandering observes that these messianic prophecies were not seen as an *a priori* legitimation of Jesus’ messiahship. Rather, the post-resurrection faith in Jesus inspired a creative re-reading of the Old Testament in the light of what had taken place in the death and resurrection of Jesus.⁶²⁵

Act 5 – The new gathering of the people

Schwager locates the beginning of Act 5 in the pneumatic experience of the post-resurrection community at Pentecost. This event marks a quite extraordinary transition from fear and apprehension (Mt 28:17; Mk 16:8; Jn 20:24-29) to a confident and courageous testimony on the part of the disciples (Acts 2:29; 4:13, 29, 31; 28:31). This fearless emergence of these early witnesses in the drama is the result of a new inner reality. Schwager summarizes as follows:

They had always perceived the message of Jesus from without, and even with the appearances of the risen one they encountered something which appeared to them at first strange, as it clearly proved by their reaction of shock, fear and doubt. Very different were the pneumatic experiences, which went together with the stepping of the disciples into the open ... [these] must have reached the inmost being of each person and thereby have created that new certainty which made possible a confrontation with the world.⁶²⁶

⁶²⁴ This aspect poses difficulties for the historical-critical method with its insistence on “objective fact” compared with the evidence the NT offers at this juncture – inner coherence and eyewitness accounts.

⁶²⁵ Wandering, *Sündenlehre*, 230-31.

⁶²⁶ Schwager, *Jesus in the Drama*, 142.

The community of those Jesus had first gathered collapsed at the time of his arrest. But now it is revived to evidence a fresh momentum in the power of the Holy Spirit. It is the dramatic continuation of what had begun in Act 1. Yet now there is an element of newness in response to the decisive events of the cross, the resurrection and the sending of the Spirit. This new experience of the Spirit was understood by the community as emanating from the Father. God's way of acting is not manifest as a victorious act of divine power overpowering his enemies. A new image of God and new sense of history are in evidence. In the light of Easter and Pentecost "this-worldly success was no longer decisive", while conflicts, persecutions and defeats took on a new meaning.⁶²⁷

Those such as Burton Mack who seek to explain the new community as a purely sociological phenomenon resist Schwager's theological account. Yet apart from it, there can be no satisfactory natural explanation of the eruption of joy, confidence and hope in the face of formidable and life-threatening opposition.⁶²⁸

The disciples' experience of the Holy Spirit was not as the end of the drama. It continued now on a different plane. Despite their previous weakness, they were now removed from the pre-Easter fear which previously had caused them to side at least indirectly with Jesus' enemies. Saving grace was at work now *in* them, despite their previous participation in the ongoing rejection and condemnation of Jesus in the world.⁶²⁹ They were empowered to live differently, in sharing Jesus' fate and in rejecting the way of violence despite its mimetic pull.

In this new community, former social, language, gender and religious barriers were overcome (Acts 2:46; 4:32; Gal 3:28).⁶³⁰ As Schwager explains it, all this was made possible because Jesus "let himself be drawn into the dark world of his

⁶²⁷ Schwager, *Jesus in the Drama*, 144ff; also Wandering, *Sündenlehre*, 234ff.

⁶²⁸ *Ibid.*, 146-49.

⁶²⁹ *Ibid.*, 156-57.

⁶³⁰ *Ibid.*, 144. In this context, Schwager makes much of the emergence of glossolalia not only as a sign of pneumatic experience but as the means of transcending natural divisions. While the Spirit was bestowed from above, the workings of the Spirit took place deep within and welled up as praise to God. It did not lead to a "life in a sect for those who took part in it; rather it brought about the step into the open and promoted the growing mission" (*ibid.*, 143). Whatever else Schwager meant by this remark, it lends credence to the neo-Pentecostal experiences of the church in recent times.

adversaries”. Yet, despite the violence he suffered, he remained faithful to the Father. Therefore, these “deep godless realms of the human heart” may now become the place where the Spirit can “reach and touch people”.⁶³¹ However, this new gathering is only a sign of the final eschatological gathering; it is not the final gathering itself.

BARTLETT’S OBJECTION

Schwager’s theology has not been without critics. For instance, his view that God forgives sins without demanding satisfaction or payment in return and that such an idea “is of heathen origin”⁶³² has earned him the criticism of von Balthasar who asks, “why the cross if God forgives in any case?”⁶³³ Balthasar is equally critical of Schwager’s (and Girard’s) demythologizing of the Old Testament by which the image of God passes progressively from a God of violence and wrath to a God “who does not engage in retribution”.⁶³⁴

Von Balthasar is not alone in pointing to what Paul Zahl calls “the Austrian allergy” against attributing anger, wrath and judgment to God.⁶³⁵ He believes that Schwager simply exchanges one problem for another because he does not explain the relationship between God’s love and his justice in the cross.⁶³⁶ Also, the assertion that Jesus became “the target of hostility and ... allowed himself to be made the scapegoat” is far too weak. After all, the Book of Revelation with its visions of divine wrath cannot be set aside as “being of its time”.⁶³⁷

⁶³¹ Schwager, *Jesus in the Drama*, 144.

⁶³² Schwager, *Scapegoats*, 207.

⁶³³ von Balthasar, *Theo-Drama IV*, 312.

⁶³⁴ *Ibid.*, 311.

⁶³⁵ Paul F. M. Zahl, “Review: Jesus in the Drama of Salvation”, *Anglican Theological Review*, 82/4 (2000), 841-2.

⁶³⁶ von Balthasar, *Theo-Drama IV*, 312.

⁶³⁷ *Ibid.*, 313; In Schwager’s view, the wrath of God consists exclusively in the fact that God “respects human activity right up to its ultimate and bitter consequences” and he is convinced that this interpretation fully agrees with the Pauline view. Moreover, there are at least two reasons that one ought to be careful about interpreting the Revelation of John as saying that God’s wrath is a force coming down from heaven. First, the book is written entirely in the language of Jewish apocalyptic

Howard Marshall, too, has criticized Schwager for his narrow conception of “judgment”. Reduction seems to be involved in the apparent ease with which God gives up his anger against sin on the grounds of mercy. God’s judgment is reduced to the mere self-judgment on the part of human beings. The role of the Cross in transforming evil and the way Christ actually saves are too vague. Furthermore, the important Pauline proposition, “for our sake he [God] made him to be sin who knew no sin, so that in him we might become the righteousness of God” (2 Cor. 5:18-21), has been left unexplored.⁶³⁸

However, the weightiest critique comes from Anthony Bartlett. It goes to the core of Schwager’s methodology.⁶³⁹ Bartlett argues that a Girardian understanding of drama leads *eo ipso* to a sacrificial plot, that is, to a “final expulsion by which the whole violent structure, and the structure of violence itself, continues to stand”. Therefore Schwager’s “methodological victory is ... hollow”.⁶⁴⁰ Irrespective of claims to the contrary, Bartlett argues, Schwager’s project is predicated on the Anselmian method of harmonizing the tension between God’s justice and his goodness, despite Schwager attempts to purify *Cur Deus Homo?* of its feudal connotations by taking it to a higher level, “higher than which nothing greater can be thought”.⁶⁴¹ From Bartlett’s criticism it would appear that Schwager’s model cannot get beyond the dialectic inherent in the Anselmian scheme. Although it is beyond our scope to discuss Bartlett’s criticism at length, let me attempt to put his objection in perspective.

Schwager, following recent studies by M. Corbin,⁶⁴² allows that the “outstanding depth” of Anselm’s doctrine had remained largely misunderstood. Later

rendering the distinction between “such time-conditioned imagery and the actual message” difficult. Second, other apocalyptic passages, in the Synoptic Gospels for instance, do not show a single text that speaks of direct violent action on God’s part (Schwager, *Scapegoats*, 216-17).

⁶³⁸ I. Howard Marshall, “Review: Jesus in the Drama of Salvation,” *Journal of Theological Studies*, 51/2 (2000), 589.

⁶³⁹ Bartlett, *Cross Purposes*, 76 n. 90, 224-225.

⁶⁴⁰ *Ibid.*, 224.

⁶⁴¹ Schwager, *Jesus in the Drama*, 13, 197.

⁶⁴² M. Corbin, “La Nouveauté de L’Incarnation. Introduction a l’Epistola et Au *Cur Deus Homo?*”, in *L’oeuvre de S. Anselm de Cantorbéry* (1988), 3:11-163 (Schwager, *Jesus in the Drama*, 5-6).

established interpretations bore, in fact, no resemblance to Anselm's thinking. Concepts such as God's anger and divine offence were semi-pagan in their origin. But they "entered under Anselm's name into the history of Christian piety". According to Schwager, Anselm's genuine thinking on such issues was more deeply coherent. He purified the different divine attributes of human limitations, motivated by a converted way of thinking for the thought world of biblical images does not "reflect the full understanding of the faith". Anselm expected of his believing readers, writes Schwager, "a conversion of their way of thinking ... so radical that it can be compared with the conversion of a non-believer to Christian belief".⁶⁴³

First, some obvious parallels. For Bartlett, the answer to all violence is the "radical gentleness of the Lamb entering and transforming the depth of the human condition".⁶⁴⁴ Schwager too sees the answer to violence in the Father's unconditional love of those opposed to him, with Jesus as the scapegoat of their violence and guilt. For Bartlett, the "undecidability" of boundless human desire and the resultant apocalyptic violence is the abyss of the human condition into which Christ enters with "abyssal compassion" to transform humanity from within. For his part, Schwager understands that apocalyptic images of divine judgment in the New Testament point to a form of collective self-condemnation and to the possibility of self-destruction. Yet he hastens to show that it was precisely from within this apocalyptic tradition that the hope of the resurrection from the dead arose. For both writers, the death of Jesus follows the age-old pattern of the scapegoat. This time, the crisis that provoked the killing was met by a limitless response of trust and surrender on the part of the victim, bringing forth something entirely new in the range of human possibility.

The underlying thought in dramatic theology is conflict and its resolution. Since the biblical drama is not any drama, and its resolution (Easter) is beyond natural human reasoning, dramatic theology works precisely on a theological level. The mystery of the Cross surpasses the reasoning of natural theology. Moreover, a theology of God is analogical, attributing to God such perfections as goodness and justice in an analogous manner, which means that what is said of God is both like

⁶⁴³ Schwager, *Jesus in the Drama*, 6 referring to Corbin, "La Nouveauté de L'Incarnation", 32-41.

⁶⁴⁴ Bartlett, *Cross Purposes*, 4.

and unlike its human analogate. Problems of communication result when it is not clear whether the “likeness” or the “unlikeness” is the focus. The linguistic situation is one of undecidability. Schwager argues that Anselm points a way out of this problem. Initial linguistic or conceptual antitheses lead to a deepened understanding and the possibility of a higher level synthesis. However, Schwager’s “higher level synthesis” is more than an intellectual process. As mentioned, “a conversion ... of thinking” is involved comparable to the believer’s conversion from unbelief to faith. In other words, something more than compelling reason or refined conceptuality is at stake, namely a new level of spiritual insight: a Spirit-energized cognitive leap akin to that experienced by Jesus’ disciples in their post-resurrection encounter with the risen Christ. Suddenly, all of Jesus’ pre-Easter teaching which had heretofore been inaccessible to them became integrated at a higher level, that is, at the level of the resurrection.

No doubt, Anselm grounds his reflection in dominant cultural experiences, such as “offence, honor, punishment and satisfaction”. The contemporary equivalent in Schwager’s case must surely be “violence and the longing for peace”. If projected against the background offered below (cf. n. 646), one can argue that Schwager is adapting Anselmian categories only in a very analogous fashion. This would lead to the conclusion that Schwager’s reading of Anselm may be far more nuanced than Bartlett allows. This leads to another question. If repayment for sin was neither necessary nor even possible, as Schwager would argue, why then the redemptive act? From Schwager’s perspective, only one answer can be given: our resentment and hatred of God made it impossible for us to return to him. It was not God who needed to be appeased, but human beings who needed to be delivered from their perverted image of him. If they were to be rendered “capable of accepting the pure gift of freely offered love”, human beings needed to be released from the prison of rivalry. Their inclination towards violence made necessary the presence of a universal Victim on whom they could off-load their wickedness.⁶⁴⁵ However, the question stands whether Schwager’s reinterpretation of Anselm remains covertly dependent on the dynamics of sacred violence. To answer it would require a separate study.

⁶⁴⁵ Schwager, *Scapegoats*, 209.

THE HEURISTIC VALUE OF DRAMATIC THEOLOGY

God's Image and Action in History

Dramatic theology sees God's actions always as actions in history. The temporal unfolding of the drama of salvation precludes a merely existential understanding of God's action. A definite "hour" characterizes the Christ-event. Jesus' offer of forgiveness, his re-interpretation of the law and his relation to the temple cult, all belong just as much to this "hour" as his healing ministry, the overcoming of demonic forces and the initial gathering of the people of God. In other words, the presence of Jesus is the presence of God actualized in this one historical person. Schwager writes: "Jesus gave expression to his heavenly Father as a God who turns in a new way towards sinners."⁶⁴⁶

The way God acts is made explicit in the words and deeds of Jesus who claimed that he and the Father were one. From Schwager's perspective we can argue that the image of God as evidenced in the salvific work of Jesus is structured on the notion of "victim". At the crucifixion, Jesus became the victim of his executioners – or, more generally speaking, of human violence and sin. But in his dying moment "by the power of the eternal Spirit" (Heb 9:14), he surrendered and entrusted his Spirit to the Father (Lk 23:46). Yet, his dying was not simply something he endured as part of our common human lot. Jesus' death was an act of deliberate surrender.⁶⁴⁷ At this point, he yields himself totally to the Father and gives up any possibility of self-determination. His total self-abandonment is the condition for a sovereign action of the Father, who raises him from the dead.⁶⁴⁸ By turning his violent death into a deliberate surrender, Jesus became the Scapegoat and the Lamb of God in one and the same act. When the sinful deeds of his enemies drove him to the extreme, they wrung from his being nothing but limitless self-giving love. By killing him, they

⁶⁴⁶ Schwager, *Jesus in the Drama*, 38.

⁶⁴⁷ *Ibid.*, 188. See the words of Jesus, "Therefore the Father loves me, because I lay down my life, that I may take it again. No one takes it away from me, but I lay it down of myself. I have power to lay it down, and I have power to take it again. This commandment I received from my Father" (Jn 10:17-18).

⁶⁴⁸ Schwager, *Jesus in the Drama*, 189.

unwittingly generated the possibility of their own transformation due to his identification with them. In other words, the death of Jesus has nothing to do with the sacrificial cult of the Old Testament. Rather, the cross is the dramatic and violent unleashing of malicious resentment from the human heart and its overcoming through love. Jesus' cry from the cross was not the cry of an innocent victim for justice, but a prayer for his persecutors: "Father, forgive them, they do not know what they do" (Lk 23:34).

If this is the true image of God, the question arises how this image may be subjectively appropriated as the "restored image" by those for whom Jesus died. Here we recall Schwager's emphasis on Christ's identification with others "in so far as they are victims". In each person there is a domain of individual responsibility which is "holy," "inviolable," and "original". It admits of no substitute. It may never be simply replaced or marginalized even by a divinely ordained "substitute".⁶⁴⁹ God's respect for this inner sanctum of liberty is unconditional. Nonetheless, it is not without effect. As the Easter event shows, God's love will not abandon sinful humanity to its own fate. On the cross, Jesus submitted to the abuse of human freedom (sin). As the embodiment of divine goodness, he involved himself to the end for the sake of our deliverance. Through the resurrection, Jesus, the Victim, re-enters the world of human self-will and violence as the way beyond it. The prison doors are opened from within, thus offering human freedom the way out. In this Victim we find the image of God as one with victimized humanity.⁶⁵⁰

However, the fallen human creature is not only a victim of sin but also its active agent. Out of limitless goodness God acted objectively in Christ to deliver

⁶⁴⁹ Schwager, *Jesus in the Drama*, 194.

⁶⁵⁰ Since the Spirit is the love between the Father and the Son, whereby both act as free persons in love towards each other in a deliberate act of "mutual self-giving" that includes their communication, the Spirit's work in conversion must be understood in the same way. This reciprocity of communication and surrender was especially visible in the dramatic progression of Jesus' ministry. The rejection of the kingdom called for an ongoing interaction between the Father and the Son and involved the latter in giving his consent to the demands of every new situation in complete freedom as the Father desired. The freedom by which Jesus surrendered himself at the human level corresponds at the divine level to God's freedom in the eternal counsel of his will. In other words, freedom is more than "freedom of choice" manifesting in particular acts of obedience, rather an all-encompassing freedom capable of surrendering the whole being (cf. *ibid.*, 209-217).

both victim and perpetrator alike from sin.⁶⁵¹ In Christ, the Victim, the objective work of God and the subjective experience of salvation come together. Schwager writes,

Through his identification with his opponents he also infiltrated their world in which their evil will had imprisoned itself and by his transforming power opened it up once again from its new depth to the heavenly Father.⁶⁵²

God uses the victim image, the image of the crucified (which resulted from the founding mechanism of archaic religion), as a symbol of his own self-communication. By acting in his Son, God is so identified with human beings that he himself becomes the victim of their sin. In Christ he is made vulnerable to the destructive powers. Jesus tastes death not because the justice of the Father wills the death of the Son, but because he so gives himself as to exhaust the power of sin, to undermine universal victimage and its death-dealing consequences. This objective aspect of salvation is subjectively appropriated through the victimal symbol of the old order: God “infiltrates” human existence in the guise of a familiar sign. Through the grace of the Spirit, the human heart recognizes this sign; and when it receives it, it collaborates with God in a grace-enabled act so as to be conformed to Christ. Thus the human person begins to act in “pacific imitation” of Christ. The divine image actualized in human liberty is reconstituted in accord with the Creator’s original intention. In other words, this new image of God is actualized in history through acts of faith and obedient “imitation” of the One who is at once the form and goal of authentic human existence.

Let us take this reflection one step further. As we have seen in Chapter 6, original sin is to be equated with man’s presumptuous and limitless striving towards independence, self-sufficiency, god-likeness and the idolatrous worship of self. Jesus was charged with blasphemy for making himself “one with God” (Mt 26:64-66 and parallels). The perverted state of the human heart was projected onto him. He was understood to be not only usurping a divine status, but as realizing in himself

⁶⁵¹ Yet Schwager is careful not to blur the distinction between responsible human agency and victimhood. Even after the redeeming action of God in Christ, personal conversion is necessary. To make effective what has been achieved on humanity’s behalf, a deliberate act of consent and appropriation is necessary.

⁶⁵² Schwager, *Jesus in the Drama*, 189.

what others were secretly desirous of being. The secret agenda of human desire in its envious hostility towards God was brought to light. But God continues to allow for the full working out of human liberty. Created in God's image, humanity's transcendent longing, however perverted, still reflects its true calling. Its fulfillment, however, is not to be found along a path directed to grasping self-assertion. It is realizable only in the way of filial obedience and humble conformity to the self-giving love of the Father and the Son.

In this context, Sebastian Moore⁶⁵³ offers an important insight of the radical transformation that the crucifixion of Jesus evokes in the human heart. If humanity is to enter into full participation of the life of God, human desire has to experience an unprecedented crisis: "the total desolation and emptying of the soul which alone ready it for the influx of God".⁶⁵⁴ The human heart has to be emptied of its "infinity of desire". However, to remove this (mimetic) obstacle, God himself must become powerless, even dead. In his death, rivalistic desire undergoes the "crisis of death",⁶⁵⁵ that is, the collapse of the perverted image of God which is the precursor to its restoration. Schwager would certainly agree with Moore's affirmation that the cross needs to be "understood as the act of a lover",⁶⁵⁶ and that such an understanding is only possible after the resurrection in the experience of a new desire that emanates from an encounter with God as surrendering love. Now individuals and communities may be liberated from the cycle of mimetic accusation and polarization. But this liberation is conditioned by the call to faith: enemies can be reconciled and victims can receive justice only in the imitative identification with the true image, the non-violent suffering Servant *and* the peace-bestowing risen Christ. Moreover, this experience is mimetic. Just as their encounter with the risen Christ was "contagious" for the first disciples, so it is for all those who give themselves to this redeemed mimesis. They experience God in a new way as the One who accompanies them with Goodness and Love in person, a relational experience that decisively affects their

⁶⁵³ For the references to Sebastian Moore I am indebted to James F. Hulbert, *Soteriology Based on Reformation of Human Desire: Sebastian Moore and Raymund Schwager*, LST Thesis (Mundelein, Ill.: University of St Mary of the Lake, 1991).

⁶⁵⁴ Sebastian Moore, *The Inner Loneliness* (New York: Cross Road, 1984), 3.

⁶⁵⁵ *Ibid.*, 81, 89.

⁶⁵⁶ Sebastian Moore, *The Fire and the Rose are One* (New York: Seabury, 1981), 90.

relationship with other human beings and the rest of creation, having become mediators of a new way of being.

The dramatic model thus provides a new reading of God's working in salvation as triumphant reversal of humanity's violent history. This history is re-lived in the history of Israel and eventually condensed in the drama of Jesus. His brief earthly existence is recapitulated and made present once more in history through Spirit-empowered proclamation of the kingdom, the transformation of human desire experienced in discipleship, in the emergence of a pacific community and in the celebration of the Eucharistic meal.⁶⁵⁷

Dramatic Soteriology and Global Responsibility

From a Christian perspective, sin and salvation apply to humanity as a whole. The universal co-responsibility which such a view implies is quite incomprehensible in contemporary Western culture that thinks in "systems" and sees life predominantly as a physico-chemical process. Nonetheless, the question of co-guilt and co-responsibility cannot be avoided simply because contemporary society has created the possibility of global self-annihilation.⁶⁵⁸ It is here that we encounter humanity's double-bind. On the one hand, the possibility of self-destruction makes denial of global responsibility impossible. On the other hand, the universal sweep of this burden may well be beyond human capacity. I alluded to this problem already at the end of Chapter 6 in the context of humanity's striving for omnipotence. It is at this point that Schwager alerts us to the need for deeper discernment: contemporary society by relinquishing their spiritual faculties takes the possibility of self-annihilation beyond its mere violent form.⁶⁵⁹ But this condition increases the need for

⁶⁵⁷ Schwager, *Erbsünde*, 74.

⁶⁵⁸ *Ibid.*, 144.

⁶⁵⁹ Schwager writes, "In the light of evolution and the radical mandate for freedom in particular, as it is inherent in the Christian message, the tendency to build one self up and assume a fresh position on the entire evolution up to the present must not be categorically dismissed as a mere aping of God's creative activity, and therefore as devilish. At the same time, one cannot overlook that this self-reflexive process of modern society mimics human beings in so far as they are physico-chemical organisms. This tendency goes in the direction of seeking to gradually replace this living, feeling, suffering, rejoicing, and therefore also unpredictable being with another that is more controllable and hence a more predicable one. Such a being would perhaps adapt itself better to the demands of the (insect) state, but would have lost its spiritual dimension" (*ibid.*, 147, my translation).

universal responsibility, which – in the absence of global solutions – can only lead to resignation, apathy, and loss of hope.

According to Schwager, this is precisely the context in which a dramatic soteriology shows its heuristic value. The early stages of salvation history (the story of Abraham) centered on such salvific goods as territory and off-spring which were, analogically speaking, also important in the animal kingdom. From there, the drama of God's action in history leads into ever new experiences and deeper disappointments to a "radical transformation of the original image of God and thus to a new understanding of the original promise".⁶⁶⁰ But in each case, every new beginning receives its true meaning only in retrospect. Through the *basilea* message Jesus unleashed an uncontrollable self-reflexive process that rebounded upon him. Yet, its hostility did not throw God's plan of salvation off course. Instead, Jesus used the backlash to live his own message with total integrity. Even in the ultimate crisis he entrusted himself entirely to the Father, who raised him from the dead and elevated him to his "right hand" from where they together sent the Spirit into the world. The Spirit was given so that the work of Jesus, which he had begun in the same power, may be completed and given meaning retrospectively while revealing in the process its universal scope. Only faith in the all-encompassing work of God in history can free humanity from being overwhelmed by the colossal crisis which seems to rebound upon it at this time as a form of (self)-judgment. Schwager concludes,

According to this faith, it is enough to trust completely in the nearness of the true God, and as disciples of Jesus follow the world process with intense spiritual discernment trusting that this faith itself will initiate its own process that works its way into the world.⁶⁶¹

Far from suggesting an irresponsible stance of quietist passivity, Schwager urges us to believe that this God who raised Jesus from the dead is able to bring unimaginably new beginnings out of our worst failures. Even if anti-christlike dominance systems resembling "apocalyptic animals" were to rule the planet (which Schwager thinks is entirely possible), they will self-destruct in the long term. Since

⁶⁶⁰ Schwager, *Erbsünde*, 149.

⁶⁶¹ *Ibid.*, 149-50 (my translation).

Christ wrought a complete salvation, even deadly conflicts cannot nullify his promise of eternal life.⁶⁶²

In short, the hope this faith position inspires – grounded as it is in God’s action in history – is more than futurological projection or wishful thinking. We find its significance in the enabling power for action it releases in a contingent and ambiguous world.⁶⁶³

Significance of Hope

As may be readily inferred from Schwager’s model, the biblical witness forges a direct link between hope and salvation. Hope so understood is hope for a future good not attainable by human effort.

In the Old Testament, this hope is set on Yahweh, not on material possessions that spoil (Psa 52:7), nor on places of worship (Jer 7:4; 48:13), nor on military alliances (Isa 31:1; Hos 10:13) but on God’s covenantal fidelity. In other words, in Hebrew thought hope is a gift from God (Psa 62:5; Jer 29:11) and is conceivable only in the context of Israel’s relation to God. Hans Bietenhard writes,

In place of something that is hoped for stands the one from whom it is hoped. Yahweh is he whose very being is help and salvation. He is thus hope for Israel. The goal of hope is Yahweh’s kingdom, his reign on the new earth, the conversion of Israel and the peoples, the new covenant (Isa 25:9; 49:6; 65:17-25; Jer 31:31-34; Hos 3:9).⁶⁶⁴

The New Testament presents us with distinct parallels. Hope is not set on anything which human effort or ingenuity can procure. Hope is understood as a mark of love which in turn cannot be separated from faith. Indeed, authentic Christian existence depends on the presence of the three theological virtues of faith, hope and love (1 Cor 13:13) whose object is Christ and their goal the realization of the life that began with the believer’s baptismal incorporation into Christ’s death and resurrection

⁶⁶² Schwager, *Erbsünde*, 150.

⁶⁶³ Anthony Kelly, *Touching on the Infinite: Explorations in Christian Hope* (Melbourne: Collins Dove, 1991), 1-3.

⁶⁶⁴ Hans Bietenhard, “Hope”, in *The Encyclopaedia of Christianity*, ed. Erwin Fahlbush *et al.* (Grand Rapids, Mich.; Cambridge, U.K.: Eerdmans/Brill, 2001), 593.

(Rom 6:3-5). Initiated by a conversionary encounter of the individual with the gospel, this life stands in need of constant renewal and perseverance in history.

Biblically speaking, then, hope is inconceivable apart from God and his activity in history. In the Christian conception its epiphany – as the work of the Holy Spirit – is inseparably linked to the Easter event.

This understanding of hope contradicts any ideological or merely process oriented conception of hope as in Ernst Bloch's *The Principle of Hope* where hope is presented as the "utopian surplus" in history. With this expression he does not mean an impossible ideal but a concrete possibility (*Realmöglichkeit*) in form of an ultimate politically achievable goal. Since in Bloch's understanding history moves forward in possibility, and since "possibility" is in itself an open process that inheres in both the hoping subject as well as in the object of hope, it is the *process* that will produce a synthesis between the subjective and the objective and thus the progressive realization of the world.⁶⁶⁵ It presupposes an open orientation towards the object of hope, in which, according to Bloch, layers of possibility reside already as a yet unrealized future. This future beckons and "radiates" a stream of hope towards the present and impels its transformation.⁶⁶⁶ Hence hope is the stuff of social revolutions. But Bloch's scheme remains a fundamentally materialist concept of hope.

The well-known French existentialist philosopher Gabriel Marcel offered a different conception of hope. His "metaphysics of hope" centers on human relations where he discovers such qualities as fidelity, trust and hope.⁶⁶⁷ Marcel writes:

We might say that hope is essentially the availability of a soul which has entered intimately enough into the experience of communion to accomplish in the teeth of will and knowledge the transcendent act – the act establishing the vital regeneration of which this experience affords both the pledge and the first-fruits.⁶⁶⁸

⁶⁶⁵ Ernst Bloch, *The Principle of Hope*, American Edition. Studies in Contemporary German Social Thought (Cambridge, Mass.: MIT Press, 1995), xxviii.

⁶⁶⁶ See also Jürgen Moltmann, *The Experiment Hope*, Translation of "Das Experiment Hoffnung"; foreword by M. Douglas Meeks (Minneapolis: Fortress Press, 1975), 30.

⁶⁶⁷ Gabriel Marcel, *Homo Viator: An Introduction to a Metaphysic of Hope*, trans. Emma Craufurd (New York: Harper, 1962).

⁶⁶⁸ *Ibid.*, 67.

For Marcel, the phenomenon of hope is thus deeply bound up with the notion of “communion” which is conceived as a new reality at the level of being to which hope is directed. By distinguishing between acts of hope and hope as such, Marcel asks whether hope is indeed the meaning of life, thus attempting to reconcile an ultimate metaphysical hope with historical action. Since the ground for such hope can only be a “deathless source of power and being that can be trusted absolutely”, he asks whether hope is the “final meaning and validity of life” or “an ultimate illusion”. Here we meet the fundamental question of hope, whether – despite the ambiguity of human experience – reality is essentially good and trustworthy.⁶⁶⁹

Only the Christian understanding of hope can offer a satisfactory answer. Here hope is not an abstract category but a person, Jesus Christ crucified and risen. Nonetheless, the point of Marcel’s argument that hope is a relational phenomenon and as such subject to the “unpredictability of freedom”⁶⁷⁰ is highly perceptive, for hope thus becomes hope for the other.⁶⁷¹ Such a relational conception of hope reflects the hope of the church, grounded as it is in the life, death and resurrection of Christ.

This hope is hope lived by faith. The difficulties that arise in attempting to live this life of faith and hope are not necessarily obvious. How shall this hope which “is not of this world” find tangible expression in the midst of the crisis as the action of God remains “deeply hidden under the sufferings of time”?⁶⁷² So when Christians attempt to give an account of their hope (1 Pet 3:15), it is precisely the mystery of the resurrection that poses the great problem, as Anthony Kelly has noted.

While the resurrection breaks into human history, it is not contained by previous expectations or present categories. Where the old language was the product of other

⁶⁶⁹ Zachary Hayes O.F.M., *Visions of the Future: A Study of Christian Eschatology*, New Theology Studies (Collegeville, Min.: The Liturgical Press, 1989), 73.

⁶⁷⁰ *Ibid.*

⁶⁷¹ Or in the words of Marcel’s famous one-liner: “I hope for thee for us” (Marcel, *Homo Viator*, 60).

⁶⁷² Konrad Stock, “Hope”, in *The Encyclopaedia of Christianity*, ed. Erwin Fahlbush, *et al.* (Grand Rapids, Mich.; Cambridge, U.K.: Eerdmans/Brill, 2001), 595.

more limited expectations, its singularity demanded something new. Christian hope had still to seek its proper expression. For while historical investigation can document all the ways in which the ancient world thought of life beyond death, and the variety and development of Israel's own expressions of hope, while it can make a judgment on the emptiness of the tomb and consider evidence of vitally transformed community, it can go no further. For the resurrection is a divinely wrought event. As such, it radiates its own evidence in those who can receive it as a divine act. Here it claims its own witnesses to solicit a response proper to the kind of ultimate reality it is.⁶⁷³

While the quest for answers is not without ultimate anchor, our answers remain provisional. Kelly writes, "... always failing, always necessary searchings of theology," as we testify to the God who "has given existence ... and inspired the long journey of history ... [has] compassionately reached into the whole human agony of our problem of evil, [and] met us in the dread point of death".⁶⁷⁴

The resurrection then, as the ultimate triumph of life over death wrought in the crucible of trinitarian love draws in a meta-cosmic movement the entire creation into Christ who is the goal and destiny of God's creative and redeeming action in history. Such a theology can only do justice to its task when it witnesses to its biblical foundations while encompassing three important dimensions which will occupy our attention in the last chapter.

The first is that of the social and political sphere, recognizing that Christian hope is not a matter of private piety but has profound social and political implications. The second is the personal dimension which acknowledges that the "other" is neither a rival nor an abstract collectivity such as "victims of human rights violations" but that humanity consists of living and feeling individuals who are loved by God in their particularity and otherness, and thus exalted. Lastly, there is the eschatological horizon which raises the question how a new world may be possible while refusing to settle for a provisional version of humanity (1 Jn 3:2).

⁶⁷³ Kelly, *Touching on the Infinite*, 116.

⁶⁷⁴ *Ibid.*, 117.

CONCLUSION

It is time to look back over the theological terrain we have traversed. This discussion began in Chapter 5 with the biblical creation account and the purpose of human personhood. Created in the image of God, human beings were destined for an exalted mediatorial and representative role in creation predicated on a highly relational correspondence between the Creator and his creature. As God-oriented beings, humans in their inner core reveal a divinely ordained openness that is capable of further determination through Spirit-guided mimesis. To corroborate this anthropological thesis we traced allusions to this capacity in the creation account, in the life of Jesus, and in the Pauline corpus. We also developed a nuanced theological understanding of human mimesis from exemplars of the contemporary trinitarian discourse. Taken together, these clues supported the notion that human desire had its ontological origin within the infinite transcendent reality of the Creator. It existed to inspire and enable at the human level an unconditional and worshipful response to the trinitarian love of God.

This exalted view of humanity was contrasted with our historical experience steeped in mutual rejection, domination, reciprocal violence and death. We examined this strange phenomenon in the light of Girard's theory and the Christian understanding of sin. Such a reading pointed to a perverted image of God as the root cause of human antagonism and violence. Instead of reflecting the desire of and for God, our mimetic capacity now "mirrors" resentful concupiscence. Human envy, projected on the transcendental screen, is read back as the divine image resulting in the rivalistic distortion of mimesis. Humanity's hostile disposition towards the Creator generates its own destructive counterforce which exists parasitically within the structural framework of a society that seeks its own good without reference to God.

I have argued that only the re-generation or re-creation of the image of God will meet humanity's deepest need. With the help of Schwager's theology, we examined this possibility and concluded that the dramatic view demonstrated a conception of God that – although not indifferent to human sin – was utterly free of sacred violence. Jesus, the risen Victim, had breached and transcended the vengeful

mechanisms of envious rivalry. Through the work of the Holy Spirit in history, he now gathers around himself as the new centre individuals whose desires are being progressively transformed towards a mimesis that reflects a renewed image of God. However, the formation of this new community lies outside the scope of human achievement. It is the work of God who in Christ had radically turned towards sinners to open the prison of envious rivalry from within, through the grace of mercy and forgiveness. This action of God generated entirely new possibilities of pacific transformation at the core of human beings.

Behind this transformation lies the ultimate ground of human knowledge of God, the incarnation. In becoming human, the second person of the Trinity crossed the chasm between the Creator and the creature without breaching the mutual delight of inner-trinitarian communion and intimacy. In the incarnation, the very life of the triune God entered human existence so that Christ's life constitutes the human possibility of knowing God as Father, Son and Holy Spirit. In Jesus Christ, who is of the same being with the Father (*homoousios to Patri*) and "in whom all the fullness of Deity dwells bodily" (Col 2:9), God became what we are in order that everything he is may be shared with his beloved creature.

The Father sent Christ into the realm of human existence not because of the need to appease his wrath, but because of Love's decisive "yes" to humanity (synonymous with the equally decisive "no" to every destructive consequence of the fall). It is this love that Christ mediates to us in all its inner-trinitarian intimacy and delight of eternal self-giving. After the Easter-event, this perichoretic love gathered out of the world a new community whose life, liturgy and sacraments would be inexplicable without the reality of Jesus Christ.

In other words, the answer to the human condition is not the law (in whatever form),⁶⁷⁵ but human existence placed face to face with Jesus Christ whose risen life models the very nature of God (Jn 6:68; 17:3) drawing human hearts into a new imitation. Thus the dramatic self-revelation of God as Being-in-relation in its trinitarian understanding emerges as humanity's source of healing of its imitative propensities from rivalry to peace.

⁶⁷⁵ For the law's violent role in history see Wolcher's argument (Chapter 3).

But if humanity refuses Jesus' terms of peace that do not depend on "the sword" (Jn 14:27), the radical effect of the gospel in the world will manifest through unprecedented violence because humanity has, as Girard puts it, "no sacralized victim to stand in the way of its consequences".⁶⁷⁶

The next chapter will explore restorative implications of God's image as "political" action in history. Without attempting to be comprehensive, I shall again pay attention to the human rights project. In the light of its crisis, the implications for the future still need to be assessed.

⁶⁷⁶ Girard, *Things Hidden*, 203.

CHAPTER 8

THE CRISIS OF HUMAN RIGHTS AND THE 'POLITICS' OF GOD

INTRODUCTION

In order to reflect on the implications of our position so far outlined, let me offer a brief summary.

Chapters 1 – 4 described the nature of the human rights crisis. In subsequent analyses, I related it to the willful denial of human creatureliness. As a result, the image of God was perverted into that of an envious rival, leaving healing and liberation beyond the scope of self-contained human capacities. This led me to argue that the moral demand implicit in the revelation of the true image of God revealed in Christ must be recognized as a precondition for a more pacific sociality. In a world that imposes “bloody social orders first”, these issues are of central importance.

In 1945 the founders of the U.N. affirmed “faith in fundamental human rights”. Yet, in the ensuing decades, threats to human existence on a global scale have intensified. This state of affairs raises the question as to whether the human rights paradigm possesses sufficient transformative power to bring about a political, economic and social order that reflects its values.

In analyzing the crisis anthropologically, I have appealed to Girardian theory. From this perspective, the source of the crisis is not, as is generally assumed, innate human aggression but humanity's highly developed mimetic capacity. According to Girard, humanity's profoundest threat arises when mimesis, by obliterating differences, provokes an experience of inner chaos in response to the “other”. For this other appears as our “twin” who mimics and claims our being. Since the only cultural mechanism we have to restore the space of difference is scapegoating victimage, we resort to “sacrificial solutions” or “redemptive violence”. Thus, the victimization of others must be seen as the desperate and quasi-religious attempt to rid ourselves of our own violence.

This enigmatic dynamism has, therefore, propelled civilization in the direction of power and dominance. At the same time, the victimary mechanism has become constitutive of human society itself. Hence the theological horizon of my thesis: something other than the articulation of international human rights and juridical systems of enforcement must be recognized if humanity is to be delivered from what threatens us at the deepest level.

Passing from the anthropological to the directly theological analysis, I have attempted to show that human mimesis, in its form and origins, has its source in the divine creator. Humankind, made in the divine image, reflects the loving community of the Trinity itself. When the mimetic structure of existence is so understood, we begin to have some insight into the human longing for transcendence.

This, however, is not to assume that mimesis is structurally innocent. Theology speaks of “fallen human nature” and original sin with its profound personal and social consequences. According to Girard’s theory, human rivalry is projected on the religious screen, thence to appear as the true image of God. In this manner, it generates the “primitive sacred”, the image of deity that demands blood sacrifices. In this apprehension, God appears as the ultimate rival. This perverted image engenders an unconscious deathwish towards the Creator, a deathwish which becomes active in individuals, society and culture as a whole. As a consequence, a deep-seated malignancy works parasitically in the social body, capable of producing all manner of evils such as personal rivalries, mutual enmity, endemic violence, terrorism, genocide, even environmental degradation. While the human rights paradigm seeks to counteract these evils in global society, it finds itself powerless to control the humanly uncontrollable, that is, the power of sin manifest in mimetic snowballing of rivalistic desire.⁶⁷⁷ Thus the fulfillment of humanity’s longing for peace, welfare and security, while this has reached historic expression with the articulation of human rights, presupposes a dynamic of a different kind.

In the “drama of salvation”, Jesus Christ restored the image of God on earth by “imaging” in the Easter-event the self-giving love of God. This is understood to break the power of sin and to unmask the myth of redemptive violence. Consequently,

⁶⁷⁷ Girard, *I See Satan Fall*, 168.

individuals and communities may by grace, the divine gift, enter their true destiny of sharing imitatively in the divine purpose of bringing renewal to the world now in the thrall of mimetic violence.

We now proceed to offer some theoretical and practical implications reinforcing the position summarized above.

THE UNCERTAIN FUTURE OF HUMAN RIGHTS

Processes of Decay

The contemporary conceptions of human rights and their articulations in international law have been for the last sixty years an important source of hope for the powerless, the marginalized, the disenfranchised, that is, for all victims of oppression, discrimination and abuse. The language of human rights has brought into the global realm the political dialectic inherent in the confrontation of domination and resistance to it. Today, legal human rights instruments abound. For the first time in history, a global ethical discourse has been initiated which claims to be able to restrain the politics of oppression and repression. Yet, its future is in serious doubt.

Earlier chapters have highlighted a number of factors that endanger this project in one way or another: post-modernist suspicion of meta-narratives, politics of difference and identity, unresolved questions of universality in the context of cultural relativism, and the proliferation of human rights norms. Stackhouse has noted that “concern for universal human rights occurs only when the social system is informed by a specific creed and successfully maintained by an effectively organized constituency”.⁶⁷⁸ This is to admit that the human rights project has always been a highly contingent one. But, as we shall see, its greatest danger arises from the politics of concealment or from what Baxi terms “acts of mystification of how human suffering is produced”.⁶⁷⁹ In other words, the human rights paradigm is in danger of being subtly ingested by the system of dominance as the effects of globalization

⁶⁷⁸ Stackhouse, *Creeeds*, 31.

⁶⁷⁹ Upendra Baxi, *The Future of Human Rights* (Oxford: Oxford University Press, 2002), ix. Baxi notes that any spectacle of human suffering produced by the mass media must “divest itself of any

subvert the core values of human rights, and leave the recognition of human dignity underlying the paradigm of the UDHR superseded.

Despite much ambiguity, human rights instruments constitute an “appeal to public virtue”. These remain a necessity, if only for their symbolic potential to speak, as Baxi observes, with the clarity of conviction against the “brutal clarity [that] characterizes regimes of political cruelty”.⁶⁸⁰ Can, then, the integrity of human rights be maintained, especially when their future depends on an ever-resilient commitment to uphold freedom, and to protect itself from degenerating into the political rhetoric of manipulation?

Meanwhile, the phenomenon of globalization is having negative results. On the national level, the state on which human rights implementation depends continues to find a fundamental ethics of social justice elusive. Consequently, the vast panoply of human rights instruments does not provide effective protection against such evils as oppression, deprivation and exploitation. Moreover, NGOs are not ideologically innocent of propaganda, as when international meetings (often held under the auspices of the U.N.) may be turned into platforms for scapegoating polemics of various kinds.⁶⁸¹ A further deterioration occurs when the concreteness of human suffering fails to be addressed. The phrase, “human rights”, sounds as an abstraction in the ears of the suffering, while the anguish of their plight is dehumanized by impersonal generalizations such as “rights violations”.⁶⁸² The human rights system is further subverted when it resonates with the dominance system whose social order is built on victimage in one form or another: every

structural understanding of the production of suffering itself ... the community of gaze can only be instantly constructed by the erasure of the slightest awareness of complicity” [*ibid.*, 86 n. 27].

⁶⁸⁰ Baxi, Upendra Baxi, *The Future of Human Rights* (Oxford: Oxford University Press, 2002), 4-5.

⁶⁸¹ Kim & Gottdiener refer to the international meeting of NGOs called by the U.N. (Durban, S.A., 2001) to address urban problems which “rapidly disintegrated into a shameful and mindless exercise in the virulent condemnation of Israel to the exclusion of addressing the terribly pressing urban problems that NGOs once engaged”. The authors are concerned that openly anti-semitic sentiments were able to “hijack” this international meeting without apparent censure (Chigon Kim and Mark Gottdiener, “Urban Problems in Global Perspective”, in *Handbook of Social Problems: A Comparative International Perspective*, ed. George Ritzer [Thousand Oakes: Sage Publications, 2004], 172-92, p. 189).

⁶⁸² Baxi, *The Future of Human Rights*, 17-18.

negotiated compromise with a social order that fails to respond to those who most suffer within it simply perpetuates abuses.

In any case, as Baxi points out, the future application of human rights is a developing system of legal and moral values. It may be understood as a kind of “cultural software” that may be re-written, a process which takes place at many levels.⁶⁸³ At the level of the U.N., for instance, the formulation of human rights norms is the outcome of a vast array of interactions between “international diplomatic and civil service desires in an ever expanding U.N. system”.⁶⁸⁴ These negotiations have been subject to a number of foreign and economic policy pressures that seek to legitimate themselves in the language of human rights under the guise of international consensus. At state level, these norms, although meant as “obstacles to the free play of power”, provide also opportunities for it. The same “rule of law” that legitimates the affluence of the few also gives rise to the poverty of the many; hence Baxi’s conclusion that the rule of law “combines and re-combines with the reign of terror”.⁶⁸⁵

The human rights rhetoric is, in fact, passionately partisan, reflecting a highly competitive culture in which proponents struggle for recognition in the multi-dimensional world of human rights. Since “conflicts of rights beget conflicted NGOs ... [who pursue] their versions of social and global redefinitions of the content and scope of human rights”,⁶⁸⁶ all participants are subject to mimetic contagion as they present diverse (and competing) paths to a better human future.

The crucial question from the view-point of this thesis is whether this diversity is driven by a passionate concern for victims or whether it is fueled by resentment towards competitors in the human rights market and by hostility towards the “oppressors” whose power these various defenders of human rights seek to limit.

⁶⁸³ Baxi, *The Future of Human Rights*, 12.

⁶⁸⁴ *Ibid.*, 9.

⁶⁸⁵ *Ibid.*

⁶⁸⁶ *Ibid.*, 44.

While it may be argued that concern for victims may at times justify the use of “symbolic” violence (in NGO protests for instance), one must view with suspicion the claim that NGO morality legitimates *a priori* the use of “symbolic” violence. The achievement of a just social order by violent means stands equally condemned whether the violence is perpetrated by the state or by NGOs.⁶⁸⁷ In the context of this analysis, this is further evidence of subversive mimetic contagion as the politics of resistance echoes with the logic of the dominance system itself.

While this subversion of human rights ideals has occurred since the inception of the human rights era (cf. Chapter 4), it was thrown into even starker relief in the aftermath of the Cold War, as Baxi has shown. During the ensuing ideological realignment, the non-aligned nations created their own “soft” version of human rights. They sought thereby to justify their own human rights violations committed during the superpower struggle for world dominance. At the same time, the Third World nations, by calling their violations “nation building”, deployed an identical stratagem.⁶⁸⁸ This international practice of concealment is indicative of the victimage mechanism. It fractures the universality of human rights and robs its ideals of moral authority. The same argument may be leveled at the human rights system as a whole for its failure to charge the world powers, whose machinations dictated the context, with the massive violations that occurred during the Cold War.⁶⁸⁹

⁶⁸⁷ As Baxi notes (not without concern), some NGOs see it as their specific mandate to get involved with insurgent activities, referring to Ravi Nair, “Human Rights and Non-Nation State Paramilitary Organizations”, *Yale Human Rights Development Law Journal* 1, no. 2 (1998), 2 (*ibid.*, 44). Another telling example of the conflicted nature of human rights activism comes from the writings of Petra K. Kelly, the founder of the German Green Party and well-known international human rights activist. Kelly wrote:

The vision I see is not only a movement of direct democracy, of self- and co-determination and *non-violence*, but a movement in which politics means the power to love and the power to feel united on the spaceship Earth. ... In a world struggling in violence and dishonesty, the further development of non-violence not only as a philosophy but as a way of life, as a force on the streets, in the market squares, outside the missile bases, inside the chemical plants and inside the war industry becomes one of the most urgent priorities. ... The suffering people of this world must come together to take control of their lives, to wrest political power from their present masters, *pushing them towards destruction* ... (Extract from a tribute in memory of Petra Kelly, emphasis added, accessed 12 February 2005); available from <http://www.macronet.org/women/petra.html>

Almost as a tragic twist of her self-contradictory vision, in October 1992 Kelly was found dead in her apartment together with her long-time partner, in a double murder/suicide that was never solved.

⁶⁸⁸ Baxi, *The Future of Human Rights*, 36, also n. 26.

⁶⁸⁹ *Ibid.*, 22.

This complicity with the power structures still prevents the violated from having a real voice. It is also the reason why justice and reparations are denied to them. Failure to acknowledge the victims, let alone their innocence, belongs to the politics of concealment. It is the attempt of the primitive sacred to reassert itself at the centre of human culture, still seeking to interpret history from the view-point of the persecutors. In part this complicity with the dominance system occurs through the “bureaucratization” of human rights.⁶⁹⁰ According to Baxi, many NGOs believe that the best way forward towards the fulfilment of human rights is the proliferation of human rights agencies at state level. However, highly visible government agencies, their generous funding and expansion are by no means a guarantee that human rights protection will occur. In fact, the opposite is the case. Such agencies not only conceal human suffering in bureaucratic procedures, but also imprison the true aspirations of the victims under the ever-present influence of state ideology.

As has been shown in the theological analysis, it is Christian revelation that has robbed the victimage mechanism of its integrating power by breaking the mythic cycle of retribution, thus enabling Western culture to demystify its own violence.⁶⁹¹

However, where – through the politics of concealment – the victimage mechanism holds sway the future of human rights is bleak. It is certainly true that the politics of human rights seek to take human victimage seriously. It is equally important to acknowledge (with Baxi’s candor) that when human suffering is turned into marketable commodities, obfuscation of victimage increases.

The ongoing deterioration of the human rights paradigm is further exemplified by two seemingly counter-current trends, each bearing in its own way upon the interpretation and application of human rights in the future: the declining influence of the West and the growing influence of global capital. A word, then, on each of these.

⁶⁹⁰ Baxi, *The Future of Human Rights*, 64-65.

⁶⁹¹ That this question may be raised in the first place indicates the dysfunctionality of this cultural mechanism.

The Declining Influence of the West

The human rights paradigm is a product of Western civilization. There is considerable historical evidence that such fundamental values as human dignity, equality, neighborly welfare and brotherly solidarity are deeply rooted in Judeo-Christian tradition. Without such values, Western civilization is inconceivable.⁶⁹² Although it is beyond our scope here to review Christianity's cultural influence on the formation of the North-Atlantic civilization that had provided the social, moral and institutional womb out of which the human rights project was born soon after World War II ended, Christianity's significant contribution at the dawn of the human rights era cannot be denied. It represented the culmination of a seventeenth century Puritan/Liberal attempt to fuse Christian spiritual aspirations and political realism into an institutional innovation. During the twentieth century, as Nurser documents, the rise of the ecumenical Christian movement in Europe and the USA played a critical role, during the drafting stages of the UDHR and contributed significantly to the emerging global order centered on the U.N. and its human rights agenda.⁶⁹³

While it is true that the church was late to recognize the articulation of human rights, difficulties arise when human autonomy is so asserted that the meaning of human rights is uncoupled from the biblical vision and from all reference to the transcendent order.

In recent years, the influence of the West on promoting human rights has been declining. This decline, according to Huntington, follows a more general pattern in intercivilizational politics which has been in the making for almost a century. The "expansion of the West" was followed by "revolt against the West". Although Western

⁶⁹² Max L. Stackhouse, *Creed, Society and Human Rights: A Study in Three Cultures* (Grand Rapids, Mich.: Wm. B. Eerdmans, 1984). Stackhouse sees in human rights "a world-wide rhetoric and legal agenda" that is ... "most deeply grounded in a highly refined critical appreciation of Biblical traditions". As a defender of human rights against those who doubted their validity on biblical grounds, he nevertheless concedes that an autonomous conception of the human person "cannot supply a full ethic for humanity and a just and peaceful society for a global era" (Max L. Stackhouse, "A Christian Perspective on Human Rights", *Society* January/February 2004: 23-28, p. 25-26). See also Roger Ruston, *Human Rights and the Image of God* (London: SCM Press, 2004). His critical analysis of the relationship between Christian theology and the notion of human rights clearly identifies the "prophetic critique" in defense of indigenous rights as it emerged in Catholic theology after the conquest of the Americas in the 16th century.

⁶⁹³ John S. Nurser, *For All Peoples and All Nations: The Ecumenical Church and Human Rights*, Foreword by David Little (Washington, DC: Georgetown University Press, 2005).

influence on non-Western societies still continues, non-Western societies are increasingly asserting their own history and influence in world politics, particularly since the Cold War.⁶⁹⁴

The West, through the political ideologies it produced in the twentieth century, shaped not only the political landscape of the world but also the nature of the “universal” state.⁶⁹⁵ In this way, it substantially reconfigured the dominance system as empires gave way to democracies.

But if there was an expectation among the Western nations that the end of the Cold War would usher in the “democratic revolution”, that is, the uninhibited spread of Western style democracies and of human rights, it did not materialize. Non-Western nations were resistant to pressure from the West to embrace democracy. The strongest resistance came from Asian and Islamic states. These both asserted the value of their religious and cultural roots and sought to give their growing (economic) independence from the West more positive expression. By the turn of the millennium, the influence of the West which had dominated the world when the UDHR was first drafted was disappearing. This “altered distribution of power” reduced Western influence, especially in Asia.⁶⁹⁶ Western pressure to bring human rights standards to bear, for instance, on the conduct of the military government of Burma (now Myanmar) was resisted as meddling in national sovereignty.⁶⁹⁷ Significantly, too, Japan withdrew its support from American human rights pressures on China after the Tiananmen Square massacre with the remark that they would not let “abstract notions of human rights” get in the way of their relations with China. Huntington writes, “... Western efforts to promote human rights in U.N. agencies generally came to naught. With few exceptions ... human rights resolutions were almost always defeated in U.N. votes”.⁶⁹⁸

⁶⁹⁴ Samuel P. Huntington, *The Clash of Civilizations and the Remaking of World Order* (London; New York: Touchstone Books, 1998 [1997]), 50-53, 192-96. The “West” means two geo-political entities, the nation states of Europe and North America (p. 53).

⁶⁹⁵ *Ibid.*

⁶⁹⁶ Huntington, *Clash*, 193-94.

⁶⁹⁷ In 1990, Sweden submitted a resolution on behalf of twenty Western nations condemning the junta, but opposition from Asia “killed it” (*ibid.*, 195).

⁶⁹⁸ *Ibid.*, 194-5.

The assumption that all elected governments are *ipso facto* pro-Western and pro-human rights has become untenable. The democratic criterion has turned out to be a double-edged sword for the West. Democratically elected governments in non-Western societies are more likely to be anti-Western and not necessarily supportive of human rights practice in the Western mould.

According to Huntington, this waning influence of the West is in no small measure due to Western “moral decline, cultural suicide, and political disunity” – so that its manner of coping with this inner crisis will determine the future of its influence on other societies – with consequences for the future of human rights.⁶⁹⁹

The Subversive Power of Global Capital

As I have argued in Chapter 4, globalization greatly influences the politics of the human rights culture. Under the banner of an inevitable and desirable globalization, all manner of transnational entities from multi-national financial institutions and corporations to transnational NGOs exert increasing influence on human rights. In this context, I pointed out that the nation state is beginning to lose its regulative power, not only over the transnational flow of capital, but also over certain human rights responsibilities assigned to it by the UDHR. With international financial arrangements (World Bank and IMF), the state no longer fully controls the necessary domestic distributive functions

The role of the nation state is further diminished, says Baxi, by the pressure of international capital to “deregulate” the domestic economy and remove itself more and more from the role of regulator of goods and services. At the same time, global capital seeks to secure, by putting pressure on the state, a regulative regime that protects its global interests. Consequently, the state becomes increasingly disengaged from its constituency. As its dependence on international political and financial networks increases, its distributive role at home is diminishing. In other words, the qualities of the new state that is emerging may be gauged, no longer by its political commitment to a just social order, but by the performance of the state within the framework of globalization.⁷⁰⁰ One consequence is that many NGOs have sought partnerships with

⁶⁹⁹ Huntington, *Clash*, 304.

⁷⁰⁰ Baxi, *The Future of Human Rights*, 136-38.

transnational financial institutions such as the World Bank, and are thereby coopted into advancing the interests of global capital to the detriment of local needs.⁷⁰¹ This involvement tends to undermine both the power and the legitimacy of Third World governments, while jeopardizing locally financed social welfare efforts.

The influence of this trend on human rights is profound. Not only does it play into the hands of global capital by untying it from the international human rights code, it also fosters an asymmetrical partnership between transnational corporations and nation states so that such powerful corporations are able to shape domestic policy for their own benefit. Baxi writes, “Naturally, the production of soft states is its [global capital’s] strategic high priority agendum, which craftily deploys the language of human development and governance, and human rights and well-being”.⁷⁰²

If this trend is disturbing, it must be remembered that it is the “natural” outworking of the liberal logic of the UDHR flowing from the right to property “alone as well as in association with others of which no one may be arbitrarily deprived” [Article 17, UDHR]. The scope of this property right protects business corporations and shareholders under existing human rights law, both at the national and international level. Consequently, the institutions of global capital may even claim human rights protection in pursuit of their international free market agenda.⁷⁰³

That the U.N. not only fully subscribes to globalization, but actively encourages it, was evident from a speech by the Secretary-General in January 1999 when he proposed at the World Economic Forum in Davos, Switzerland, a “Global Compact” between the U.N. and the world business community. This Compact was to “enable all the world’s people to share the benefits of globalization and embedding the global market in values and practices that are fundamental to meeting socio-economic

⁷⁰¹ As Kim & Gottdiener have noted, in commenting on World Bank projects designed to assist the urban poor, these projects showed a high degree of “irrelevancy ... and often foster the interests of global capital” (Kim & Gottdiener, “Urban Problems”, 189).

⁷⁰² Baxi, *The Future of Human Rights*, 142.

⁷⁰³ *Ibid.*, 144. Protagonists of globalization argue that the free market is best for human rights. Without it the benefits of modern pharmaceuticals (right to well-being), agri-business (right to food), bio-technology (reproductive rights, improved environment) and so on would not be available (*ibid.*, 146). This argument tends to overlook the fact that international trade agreements effectively remove the bargaining power of the developing nations.

needs”.⁷⁰⁴ By proposing a partnership with global capital, the U.N. negates the possibility of calling one of the chief perpetrators of human rights violations to account, if not voiding the meaning of Art. 30 of the UDHR which reads:

Nothing in this declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any acts aimed at the destruction of any of the rights and freedoms set forth herein.⁷⁰⁵

In other words, the ideologies of economic progress and globalization have, in fact, become enshrined in U.N. policy. The situation, therefore, will continue to produce states that favor the interests of global capital, with a resultant undermining of the UDHR.⁷⁰⁶ Baxi’s comment on the Vienna Declaration on Human Rights sums up how conflicted the paradigm of human rights has become: “The ‘spirit’ is human rights, the ‘realities’ are furnished by headlong and heedless processes of globalization creating in their wake cruel logics of social exclusion and abiding communities of misfortune.”⁷⁰⁷

From the Girardian perspective we have adopted, it is not difficult to recognize the operation of the sacrificial mechanism. Moreover, in the inability of the human rights system to escape the entanglement in the very structures it aims to criticize, the interplay of the “mimetic double” becomes apparent. Global capital, from the position of its dominance, now claims “human rights” on its own behalf, while the values of human rights are reduced to mere objects of exchange.

Must we then conclude that the human rights project is futile, that there is no escape from the politics of cruelty and that our striving in the pursuit of “good” within the present course of history is wasted? I shall return to this question at the end of the chapter. For now I shall leave aside the politics of human rights, and turn to the “politics” of God, that is, God’s action in history, especially the political significance of his kingdom.

⁷⁰⁴ The Office, United Nations Secretary-General, “Global Compact” (accessed 12 February 2004); available from http://www.un.org/news/essg/sg/pages/sg_office.html

⁷⁰⁵ Appendix 1.

⁷⁰⁶ Baxi, *The Future of Human Rights*, 144-149.

⁷⁰⁷ *Ibid.*, 154.

THE 'POLITICS' OF GOD AS THE ANSWER TO VIOLENCE

The Political Meaning of the Kingdom

As the previous chapter has shown, the proclamation of God's kingdom stood at the center of the Christ-drama. In the mind of Jesus, the kingdom was both present and future, an "event [as well as] a sphere of existence".⁷⁰⁸ Yet more important from the dramatic viewpoint is the revelatory character of the kingdom and its "political" meaning in history. The kingdom reveals who God is as the creator, ruler, sustainer and redeemer of his entire creation. It also reveals that God is on the side of the victim and stands opposed to human oppression, injustice and exploitation.

In proclaiming the kingdom, Jesus, who embodied it, invited all humanity into the privilege and responsibility of acknowledging God's rule. Through faith in him, human beings are offered adoption into divine sonship (Jn 1:14). The resurrection of the crucified One validates his claim as the Lord of all. At Pentecost, a new gathering of God's people began. It continues in history as the Holy Spirit of Christ empowers the new community in its witness to the truth and to the reality of the kingdom. But the new community is not identical with the kingdom. Through this community's common testimony God summons all humanity to embrace the way of Christ in anticipation of God's universal rule.

The summons to enter this kingdom has social and political dimensions. By being conformed to the self-giving love of Christ, his followers are called to renounce allegiance to the dominance system where the scapegoat mechanism holds sway. While this step involves human participation, collaborating in the cause of the kingdom lies beyond human capability alone. It is given as the free gift of God who is acting in human history.

⁷⁰⁸ Stanley Grenz, *Theology for the Community* (Nashville, TN: Broadman & Holman Publishers, 1994), 618.

This call echoes that ancient summons which first came to the people of Israel.⁷⁰⁹ Through the voice of Moses, God summoned a dispossessed people who suffered under Egypt's domination into freedom and responsibility. In their exodus from the slavery of Egypt, the people of God entered into a covenant relationship with the God of their liberation;⁷¹⁰ and so came to acknowledge the divine will and their role within it. This awareness found expression in their communal practices designed to preserve their new-found freedom, in dignity and solidarity. Thus, within this action of God in history the basis of "human rights" thinking was established.

The Social Vision of Ancient Israel

When King Josiah, under the military and cultural pressure of Assyria, sought to reform Israel's society in the 7th century BC, he turned to Israel's ancient social vision. Israel's theology cannot be separated from its founding experience. Its central values were rooted in a tradition that reached back to the Exodus. Their laws projected a new social order which Yahweh had inaugurated. Since they owed their freedom to Yahweh's liberating action – not to a self-initiated revolt against a repressive regime – only a thoroughly theological interpretation could account for Israel's existence and sociality.

According to Deuteronomy scholar Georg Braulik, Israel's vision of society had from the start been pregnant with the triadic notion of "liberty, equality and brotherly solidarity".⁷¹¹ For our discussion, several points are relevant.

To begin with, Yahweh liberates Israel from slavery in Egypt and grants Israel new social space in the Promised Land. Through this act, Yahweh becomes their "new master" which cancels Egypt's lordship, and with it all other human lordship, over his

⁷⁰⁹ It is important to distinguish biblical Israel from the modern state.

⁷¹⁰ Brueggemann writes, "The assertion that the relationship of God and Israel is so radically bilateral as to make God a genuine party to the interaction is a step Christian theology characteristically resists. It is a step, however, that Jewish thought can entertain" (Walter Brueggemann, *Theology of the Old Testament: Testimony, Dispute, Advocacy* [Minneapolis: Augsburg Press, 1997], 30 n.8).

⁷¹¹ Georg Braulik, O.S.B., "Das Deuteronomium und die Menschenrechte" in his *Studien zur Theologie des Deuteronomiums* (Stuttgart: Katholisches Bibelwerk, 1988), 301-23. ET Georg Braulik O.S.B., "Deuteronomy and Human Rights," trans. Ulrika Lindbad, in *Theology of Deuteronomy: Collected Essays by Georg Braulik*, vol. 2, BIBAL Collected Essays (N. Richland Hills, TX: BIBAL Press, 1994), 131-64.

people.⁷¹² Any consequent “human rights” were therefore not rooted in human nature but were inherent in Yahweh's unique historical action, all at once love-gift and inheritance.⁷¹³

By liberating Israel, God founded an equitable alternative social structure of community in contrast with Egypt's oppressive social order. Israel's tribal society conceived of itself as a politico-theological entity based on God's justice (*ts^edâqâh*). Israel was to preserve the freedom Yahweh had granted by “doing justice”. Since the Decalogue originated directly from Yahweh's saving activity, its laws must be understood not as the “sum of a universal human ethos”, but as “thematized elementary demands” that have to be met in order to preserve the liberty which these instructions presuppose. Ethical conduct would emanate not from the imposition of legal obligation but would flow directly from faith in Yahweh who had freely intervened for the sake of Israel's liberation. Not to acknowledge the liberating will of God would be to forfeit freedom and to return to slavery.⁷¹⁴

Moreover, this liberating action of Yahweh is not aimed at isolated individuals but forms a people. This people of God had as its inheritance Yahweh's promise to their forefathers, as the “we” and “us” of the Deuteronomic credo make plain.⁷¹⁵ Its very formulation is constitutive of their solidarity. It also enunciates the justice that was to govern and sustain their life as a people as long as they kept their social order according to Yahweh's benevolent will. Furthermore, in order to achieve equality and counteract societal stratification, Israel was instructed to participate at Yahweh's feasts in a manner that eschewed status and privilege. Since all were equally important to Yahweh, all members were invited – men, women, children, slaves,⁷¹⁶

⁷¹² Braulik writes that this act “bewirkt die Aufhebung menschlicher Herrschaft”, (*ibid.*, 306).

⁷¹³ Braulik, “Das Deuteronomium”, 305-307; ET 135-136.

⁷¹⁴ *Ibid.*, 305; ET, 135.

⁷¹⁵ The passage reads, “We were slaves of Pharaoh in Egypt, and the LORD brought us out of Egypt with a mighty hand; and the LORD showed signs and wonders before our eyes, great and severe, against Egypt, Pharaoh, and all his household. Then He brought us out from there, that He might bring us in, to give us the land of which He swore to our fathers. And the LORD commanded us to observe all these statutes, to fear the LORD our God, for our good always, that He might preserve us alive, as at this day. Then it will be righteousness for us, if we are careful to observe all these commandments before the LORD our God, as He has commanded us” (Deut 6:21-25).

⁷¹⁶ Braulik, “Das Deuteronomium”, 309-10; ET 136-138. From a human rights perspective, the provision for “servants” is noted. While the most basic meaning of the Hebr. *ebed* is “slave” or bonded

Levites (who did not enjoy residential rights in rural towns), the underprivileged, strangers, orphans and widows. All were to enjoy equality by jointly celebrating their relationship with Yahweh. The liturgical forms of worship inspired and nourished a society of equals.⁷¹⁷

Lastly, Yahweh's gifts of liberty, equality and participation were inseparable: when Torah emphasizes one, the other two still remain in full view. The experience of being the one people of God is implicit in the freedom and equality it had received. Indeed, this relational emphasis constitutes the necessary hermeneutic for the interpretation of Israel's history. As with its freedom, the Deuteronomic ideal of solidarity was a product of the Exodus – or more specifically, of the non-hierarchical tribal society that ensued from this founding event.

We can thus entertain the judgment that Old Testament “human-rights-thinking” is unique.⁷¹⁸ It revolves around an “Other-constituted” sociality in which consequent

servant, it would be misleading to suppose that it carried the same irksome overtones of the modern meaning (see R. Laird Harris, “*ebed*”, in *Theological Wordbook of the Old Testament*, Vol. 2, ed. R. L. Harris, L. Archer Gleason and Bruce K. Waltke [Chicago: Moody Bible Institute, 1980], 639-40). On the one hand slavery signified employer/employee relationships in general; on the other, slavery in Israel functioned as a social safety net that protected impoverished families from destitution and allowed them to survive. Slaves were not without rights. For instance, fellow Israelites could not be bonded indefinitely. They were to serve six years and then go free (Deut 15:12-15). This is to say that the Deuteronomic tradition was not exploitative. Rather, it humanized the then universal institution of slavery from the standpoint of “brotherhood”. Because even slaves were brothers, the title “master” was avoided. A slave never sold his person, only his ability to work. The rights of masters were circumscribed while slaves retained the right to extract themselves from unjust situations by running away legally, which later developed into asylum laws. Masters were reminded that they too were once slaves in Egypt and out of this experience they were to treat their fellow-Israelites with dignity and respect. Moreover, it was the master's responsibility at the end of the contract to ensure through generous gifts that the slave became economically re-integrated in society. This generosity was understood as participation in the divine blessing of Israel. In short, the slave remained a legally competent subject at both ends of the contract. (*ibid.*, 311-14; ET, 136-146).

⁷¹⁷ *Ibid.*, 318-19; ET 136-146. If their new “social space” offered freedom of movement, the Sabbath even guaranteed “free time”. Under Yahweh, Israel's right to leisure (which in ancient society only the wealthy were privileged to enjoy) was available to all. Moreover, the sabbatical work prohibition was directed at the original community of work, the agricultural household. It included husband, wife, children, servants, and the animals associated with the work process and represented a revolutionary creation of faith in Yahweh. It stood not only as a symbol of their freedom but above all as an expression of obedient trust. This new pattern disrupted the natural cycles of times and seasons and demonstrated that Israel's agricultural life was not beholden to the mythical powers of the earth but was solely dependent on the saving acts of their God who had delivered them from all oppressive and exploitative systems.

⁷¹⁸ While one cannot prove a direct influence of Deuteronomy on modern human rights formulations, the parallels of Braulik's analysis are certainly most striking. See also Braulik's attempt to correlate the content of the UDHR Article by Article with the stipulations of Deuteronomy (*ibid.*, 301-302; ET, 131-132).

human rights were *to be granted to others* for the preservation of the freedom secured through Yahweh's liberating action on Israel's behalf. If Israel reflected a social order that recognized such concerns, this was not because these notions were derived from natural law thinking, but from the outworking in history of God's freedom-granting activity which had brought about social justice. In short, Israel's Deuteronomic tradition is inexplicable without its claim regarding the origin of this tradition: the original and abiding relationship with Yahweh. At the same time, the history of Israel dramatically exemplifies a condition in which the realization of liberty and community involves a struggle against an oppressive regime by responding to, and collaborating with, the liberating will of God.

However, there is another side. The large body of law in the OT projects the fundamental assumption that obedience is possible and that an obedient people can build a community whose future and well-being is shaped by its responsibility towards this community and its covenantal obligations. Yet, the Old Testament testifies in many places to Israel's frequent disobedience and the experience of disaster that followed.⁷¹⁹ Birch notes, "[They were] deeply inclined to disloyalty that they were not finally able to control their own future or create the order the law suggested they can. Both law and liturgy will be ongoing witnesses against their ability to do so".⁷²⁰

A contemporary parallel might be drawn in respect of the human rights era. After World War II, the world held high hopes for a new beginning. Certainly, the pathos and high-sounding ideals of the UDHR gave voice to the expectation that from a world in ruins a new order might emerge. Yet within the next fifty years the nations exhibited such a profound infidelity to their own human rights ideals and covenants that the large body of human rights law now testifies to the infidelity of this generation subverting the confidence in the ability of the nations to bring about the order they thought they were able to create. If the Biblical story of Israel's early history casts a shadow over our ability to shape the future on our own terms, then only to open blind eyes to humanity's solidarity in sin and covenantal infidelity.

⁷¹⁹ Birch, *et al.*, *A Theological Introduction to the Old Testament*, 169-71.

⁷²⁰ *Ibid.*, 169-70.

At the same time, the story of Israel and the drama of Jesus show that God's action in history sets people free from the way things are. The new path to liberation, as it opens up, calls for new ways of acting. To the extent that this means engaging the world and the powers that shape it, such action may be called "political". Yet, this way, because of its dependence on the call of God, differs radically from the politics of the world. In the Old Testament, this difference was rooted in the story of the Exodus; in the New Testament it is founded in the Easter-event. The social structures of enmity and domination are subverted, and the politics of rivalistic opposition are called radically into question. At the same time, there emerges a new social meaning in the community it calls into existence.

Predictably, difficulties arise when we attempt to translate this new reality into concrete political action. An essential part of the problem is the way the image of Jesus is reduced to an abstractly "religious" figure. A depoliticized gospel has no political or economic bite. Recent scholarship continues to give a fresh focus in this regard,⁷²¹ with "political" consequences for the Christian way of life.

Such considerations are not absent in Schwager. His dramatic approach tends to favor a political rather than merely "religious" Jesus, which is not to say that his project fully develops the political nature of Jesus' actions and the highly politicized context in which Jesus proclaimed the kingdom of God. To further the discussion of the political implications of the kingdom Jesus proclaimed, I shall look briefly at his political response to the oppressive forces that ruled Palestine in his day. As Luise Schottroff has shown, the understanding of Jesus in the early church cannot be properly understood, except by relating his command to love enemies to the context of the power structures that determined the social reality at the time of his ministry.⁷²² Indeed, John H. Yoder has contended for an even more political reading

⁷²¹ Richard A. Horsley, *Jesus and Empire: The Kingdom of God and the New World Disorder* (Minneapolis: Fortress Press, 2003); *The Message of the Kingdom* (Minneapolis: Fortress Press, 2002); *Jesus and the Spiral of Violence: Popular Jewish Resistance in Roman Palestine* (Minneapolis: Fortress, 1993); John Howard Yoder, *The Politics of Jesus: Vicit Agnus Noster*, 2nd Edition (Grand Rapids: Eerdmans Publishing Company, 1995).

⁷²² Luise Schottroff, "Gewaltverzicht und Feindesliebe in der Urchristlichen Gemeinde, Mt 5:37-48; Lk 6:27-36", in *Jesus Christ in Historie und Theologie: FS Hans Conzelmann*, ed. Georg Stecker (Tübingen: J. C. B. Mohr [Paul Siebeck], 1975), 197-221.

when he earlier wrote that the total moral witness of the New Testament is political in nature.⁷²³ Let me highlight some of the main points of this recent discussion.

The Politics of Jesus

Life in Galilee at the time of Jesus was conditioned by Roman occupation. Horsley writes, “In the decades before Jesus was born, Roman armies marched through the area, burning villages, enslaving the able-bodied, killing the infirm.”⁷²⁴ First Herod, and later his son, Antipas, ruled the land with an iron fist as puppet kings under the Romans, while governors appointed and deposed at will the high priests from the Jerusalem élite who ruled the religious life of the nation from their power-base, the Temple.

The subjugation of conquered people was for Rome a national security measure. Any sign of weakness on Rome’s part was considered “an invitation to disaster”. Mass-slaughter, enslavement, and massacres were standard military procedures, terrorizing and even annihilating whole populations.⁷²⁵ Consequently every town and village was affected, including such places as Nazareth, so as to leave “mass trauma ... in its wake”.⁷²⁶

Jesus’ mission and movement must be understood against this background. The proclamation that “the kingdom of God is at hand” assumes an all the more significant political meaning. How, then, did Jesus respond?

Horsley concludes that Jesus must have spearheaded a “prophetic program of God’s judgment against the imperial order in order to advance the renewal of the people of Israel”.⁷²⁷ His first targets were Rome’s client rulers, the high priesthood

⁷²³ Yoder, *The Politics of Jesus*, vii.

⁷²⁴ Horsley, *Jesus and Empire*, 15.

⁷²⁵ *Ibid.*, 27-28.

⁷²⁶ *Ibid.*, 29-30.

⁷²⁷ Horsley is careful not to suggest that this material is a transcript of what Jesus has said, but is to be taken as cumulative “representation” of his opposition to the Temple and the high priesthood from perhaps repeated “speech-acts” (*ibid.*, 97).

and the Temple apparatus.⁷²⁸ He delivered God's judgment in a series of speeches, healings, exorcisms, and condemnations of the Temple, its high priests and the scribes. According to Horsley, Jesus' entire ministry "vibrates with Israelite prophetic tradition" as he communicates in word and deed a prophetic disapproval of the ruling élites together with their oppressive and exploitative practices.⁷²⁹

In his attitude to Caesar Jesus was equally outspoken. Church tradition has usually interpreted Jesus' famous response to the question about tribute – "render to Caesar what is Caesar's and to God what is God's" (Mark 12:17 and parallels) in a manner that did not suggest his condemnation of the Roman Empire, but rather asserted the primacy of a spiritual kingdom. According to Horsley, this is a "later self-protective and accommodationist Christian projection". Jesus' listeners, including the Pharisees, would have understood it, rather, as a rejection of Caesar's claim, because God was their exclusive ruler.⁷³⁰

In a like manner, Jesus implicated Roman imperialism in his exorcisms. From a contextual survey of Jesus' practice, Horsley argues that these exorcisms meant that "God's kingdom is defeating Roman rule": demons were identified as legions. Only our distance from the text prevents us from seeing these connections. The same is to be said for episodes such as the crossing of the sea and the feedings in the wilderness. Ancestral memory would tend to identify Jesus as a prophet in the lineage of Moses and Elijah who withstood intolerable imperial powers and renewed the people of Israel.⁷³¹ In respect of the constructive aspect of Jesus' mission Horsley writes,

In the confidence that the Roman imperial order stood under the judgment of God's imminent kingdom, Jesus launched a mission of social renewal among subject peoples.⁷³²

⁷²⁸ *Ibid.*, 86-104.

⁷²⁹ This stance provokes the resolve of the Temple establishment to destroy Jesus. It highlights the fundamental conflict of the kingdom with an oppressive system, into which must not be read a conflict between Judaism and Christianity (Horsley, *Jesus and Empire*, 93).

⁷³⁰ *Ibid.*, 98. Notice that already in the Exodus tradition there was clear reference that God's action canceled not just Egypt's but all other peoples' dominion over God's people.

⁷³¹ *Ibid.*, 99.

⁷³² *Ibid.*, 105.

We note here that Jesus was not waiting for God's supernatural intervention to bring Rome to its knees. Despite the fact that the imperial order was still firmly in place, he inaugurated a program of healing the debilitating effects of imperial oppression. He restored people's lives and communities on the basis of the principles of equality and mutual cooperation that were deeply lodged in Israel's covenantal heritage.⁷³³

This community-building emphasis stands in sharp contrast to the individualistic focus of contemporary Western culture. Jesus was not a teacher of individuals, urging them to leave their homes and time-honored social customs in order to follow him into a radical "alternative lifestyle". In fact, the Gospels show Jesus' ministry as firmly embedded in a communal context. Here, there is evidence of unusual spontaneity of those involved. Four friends bring another through the roof into the house to be healed. There is mention of blind beggars, anguished parents, grieving sisters, and demoniacs, yet these are always surrounded by the community. In all these cases, Horsley notes, Jesus is not just curing common human ills so much, as healing the communal and relational devastation that had resulted from Roman imperialism. He heals "social relations in social contexts".⁷³⁴ For example, his exorcisms expose and expel the demonic influence of the occupying forces. He heals the social body in "representative figures" of Israel, such as the hemorrhaging woman and the twelve-year-old girl. He instills hope by blessing those who mourn, by making the lame walk and the blind see, by preaching good news to the poor, by removing the paralyzing sense of self-accusation deriving from the belief that the people were punished for the sins of their forebears.⁷³⁵ Further, in touching individuals in the particularity of their anguish, he works to renew the covenant community to counteract social disintegration of village life, redirecting his hearers to such values as family, marriage, the forgiveness of mutual debts and solidarity in mutual assistance. In all this, he is acting as the agent of God's will.

⁷³³ Horsley, *Jesus and Empire*, 106.

⁷³⁴ *Ibid.*, 106-14.

⁷³⁵ On this point Horsley writes, "Jesus breaks this paralysis by healing the man lowered into the house by his friends, "son, your sins are forgiven" (Mark 2:1-9), thus freeing up life that had previously introjected in self-blame and dysfunctional paralysis" (*ibid.*, 110).

Jesus political and economic “prophetic stance”⁷³⁶ resonated deeply within the common memory of the people. In this, he demonstrated in action the tangible nearness of the kingdom. God’s deliverance was on the way. But if people were to receive it as an ongoing experience, they had to return to divinely established priorities. If they were to receive deliverance from their sense of moral failure, they had to deal with the rivalries based on their social and economic differences. Even if outward circumstances were not going to change immediately, healing at the level of their personal and communal attitudes had begun. Jesus has initiated a social revolution against the armed violence and oppressive imperialism they suffered.

This perspective on the activity of Jesus does not, however, permit a triumphalist reading. Whatever the different patterns of Christology that arise from the New Testament,⁷³⁷ Jesus’ social ethic presupposes self-renunciation. The history of salvation and liberation has always been one of suffering.⁷³⁸ Every prophetic stance entails the risk of suffering and death, for it exposes the hidden roots of human dominance and violence; and this has consequences. Concealed in the structures of the domination system, even under the guise of religion, is a politics which must oppress the other.

But if the prophetic stance is to be maintained, it will always depend on conforming oneself to the “politics of God”. The task of this disposition is to unveil the victimary mechanism in the teeth of all hegemonic claims. Because it witnesses to the will of God, this stance is non-negotiable. It reveals the character of God embodied in Jesus as a vulnerable love for the enemy and as renouncing all forms of oppressive dominion.⁷³⁹ The prophetic stance renounces both violence and any

⁷³⁶ This is Glenn Tinder’s term. Apart from its critique of oppression, the prophetic stance recognizes the impossibility of a just society. While partly due to the needs of society, the main cause lies simply in the unequal capacities of human beings to contribute to society. For the sake of justice this inequality cannot be ignored, even if one holds to the principle of equality and the infinite value and dignity of the individual (Glenn Tinder, *The Political Meaning of Christianity: An Interpretation* [Baton Rouge; London: Louisiana State University Press, 1989], 61-99, especially 68-80).

⁷³⁷ Nancey Murphy and George Ellis, F.R., *On the Moral Nature of the Universe: Theology, Cosmology, Ethics*, Theology and the Sciences (Minneapolis: Fortress Press, 1996), 177 n. 7, 178-9.

⁷³⁸ Johann Baptist Metz, “Erlösung und Emanzipation”, in *Erlösung und Emanzipation: Quaestiones Disputatae 61*, ed. Karl Rahner and Heinrich Schlier. Theologische Redaktion Herbert Vorgrimler (Freiburg; Basel; Wien: Herder, 1973), 121-40.

⁷³⁹ Murphy & Ellis, op. cit., 178.

accommodation to the politics of expulsion; and this it does on behalf of those who are victims of that violence and expulsion.

The commitment to non-violence must be properly understood. It is not the passive resignation of a subservient morality, but the deliberate refusal to justify violence. Schottroff notes, “The ‘yes’ to non-violence is only credible within the context of the praxis of resistance as a combative and missionary means for the salvation of all”.⁷⁴⁰ While called “combative”, the core of this stance is neither hostile nor the frustrated reaction of the weak lashing out against the powerful. It entails, nonetheless, a pacific commitment to confront the power structures that determine the way things are. Let us take this point a little further.

Non-Violence as Kenotic Action

As shown in Chapter 6, the “principalities and powers” form a system. Wink relates this Pauline designation of world-structuring forces to a system of domination which emerged some 5000 years ago and whose mythology has permeated Western culture. It is repeated today in countless forms through literature, drama and popular entertainment, still exerting massive influence.⁷⁴¹ Its plot is derived from ancient combat myths dealing with the establishment and maintenance of order by means of violence. I have argued, with Girard and Schwager, that the Easter-event has unmasked the underlying ontology of violence. Yet, its logic so continues to influence many even Christian responses to war and political expediency that any form of radical pacificism is generally considered to be impracticable.

However, God’s redemptive answer to humanity’s entrapment in systems of violence has not changed. Hope for redemption derives from the way God has acted in history. Through Christ, God has redefined the divine image so as to undermine the idolatrous projections of both politics and religion. Only a God who is revealed in an absolute renunciation of violence and threat can be an effective answer to human violence. The God who is revealed as vulnerable, in unconditional love for all, including those who reject him, is able to inspire the construction of a world of non-

⁷⁴⁰ Schottroff, “Gewaltverzicht und Feindesliebe”, 221.

⁷⁴¹ Wink, *Engaging the Powers* 1-42; Also, Wink, *The Powers That Be*, 1-62.

rivalistic relationships. By participating in this kind of kenotic love, individuals and communities have a healing and creative task in shaping the world in accord with a new kind of politics.

The renunciation of the right to self-defence is a key element. By looking beyond the mere cessation of hostilities, Richard Gregg describes this non-violent stance in the following terms:

As to the outcome of a struggle waged by non-violence, we must understand one point thoroughly. The aim of the non-violent resister is not to injure, or to crush and humiliate his opponent, or to “break his will,” as in violent fight. The aim is to convert the opponent, to change his understanding and his sense of values so that he will join wholeheartedly with the resister in seeking settlement truly amicable and truly satisfying to both sides. The non-violent resister seeks a solution under which both parties can have complete self-respect and mutual respect, a settlement that will implement the new desires and full energies of both parties. The non-violent resister seeks to help the violent attacker to re-establish his moral balance on a level higher and more secure than that from which he first launched his violent attack. The function of the non-violent type of resistance is not to harm the opponent nor impose a solution against his will, but to help both parties into a more secure, creative and truthful relationship.⁷⁴²

Gregg’s ideal of non-violent resistance may serve as an eloquent analogy of God’s non-violent “politics” toward sinful and hostile humanity. God’s aim is not to overpower or harm his creature.⁷⁴³ Instead, he seeks their full restoration to a mutually satisfying relation involving the conversion of their hearts. He loves them unconditionally before they love him. Through the self-giving mission of the Son and the regenerative power of the Holy Spirit he draws them into his life, not imposing “solutions” against their will, but transforming their desires. They now participate in the divine nature (2 Pet 1:4) and willingly implement their regenerated desires according to God’s character which restores their self-respect and moral integrity. This non-violent “politics of God” was perfectly demonstrated in the life, death and resurrection of Jesus Christ.

Despite the stance just described, it is possible that an aggressor will despise a non-violent opponent. This may cause a greater display of violence on the part of the aggressor in order to purge himself of a false consciousness by projecting his

⁷⁴² Richard Gregg, *The Power of Non-Violence*, 2nd revised ed. (New York: Schocken Books, 1969), 51 cited in Murphy and Ellis, p. 137-8.

⁷⁴³ The reference to “no harm” is not to say that the conversion experience of sinful creatures is “painless”, situated as it is in the dialectic between cross and resurrection.

own violent proclivities onto the opponent who appears to be without guile. But it is also possible that the patience and conciliatory attitude of this victim will evoke in the aggressor new desires and an anticipation of unimagined possibilities. This would bring into being the pattern of a new mimesis – namely, one based on the model of the Crucified, furthering the cause of salvation by this instance of the non-violent “politics of God”. Only a God whose self-giving love will absorb in his own person the violence of his creature can break the cycle of human retaliation and violence.

FROM LIBERTY TO HOPE

Liberty, Community, and Power

The points made above come into sharper focus by considering more explicitly the notions of liberty, community and power.

In contemporary society, the rhetoric of liberty is not without ambiguity. In popular parlance, it is understood as the power to pursue one’s own goals for one’s own purposes. A more nuanced understanding includes such qualifications as freedom from a determinism that limits human possibilities in history. It thus connotes the positive freedom of self-determination, along with the negative freedom of deliberately refraining from certain courses of action. Thus freedom to choose appears on the one hand as an integral part of human dignity, and, on the other, the recognition of a context complicated by the social fact of other individuals exercising, by right and in practice, their own freedom of action. There is thus some limit on the scope of individual liberty but not on the value of liberty itself.⁷⁴⁴

In the Christian perspective, liberty is understood in relation to the God-given liberation from sin and evil that faith brings.⁷⁴⁵ As a result, Christian freedom is not reducible merely to humanistic-political forms of self-expression which are part of the problem in the first place. Hence, as Tinder observes, this indeterminate freedom is not an “indisputable good” in the Christian understanding of liberty. It gives rise to

⁷⁴⁴ Cf. K. Rahner and H. Vorgrimler, *Concise Theological Dictionary* (London: Herder, Burns & Oates, 1965), 178-79.

⁷⁴⁵ Tinder, *Political Meaning*, 101-149.

a moral dilemma for Christians and thus for the church. In acknowledging the value of free self-determination as integral to human dignity, they consent to the possibility of a world that structures itself “unformed and ungoverned by faith”. Yet, consenting to secularism runs counter to their convictions: by acknowledging liberty, Christians must also uphold the right of the world to reject faith.

Tinder resolves this dilemma in a stark fashion. He asserts that “[l]iberty is for sinful beings”, thus making way for secularism as a manifestation of human fallenness and sin.⁷⁴⁶ The more secularity progresses, he argues, the more it gives rise to the repudiation of transcendence and of transcendent values that are at the heart of Christian tradition. The world’s aims converge on what is visible and pleasurable, on what is attainable through outward control and human power.⁷⁴⁷ Tinder writes,

Modern history ever since the time of the Reformation and Renaissance has been a venture in liberty and secularity. It has seen triumphant creativity in art and philosophy, in science and technology. The chaos of the twentieth century, however, is indicative of the profound dangers that liberty and secularity bring The dangers are evident in the state, the main institutional results of Christian acquiescence in secularity. The affirmation of liberty leads inevitably to the affirmation of the state. Where there is liberty and the church is not sovereign, this task is necessarily undertaken by a secular agency. That agency is the state.⁷⁴⁸

Here, we touch on the problem which surfaced in our previous discussion of systems of domination and the scapegoat mechanism. Functionally, the state cannot be understood apart from this. Although the responsibility of the state in a fallen world is the resistance of evil, it has shown itself throughout history as one of the chief perpetrators of evil, on occasion, the very embodiment of demonic powers.

But this is not the only reason for the Christian suspicion of the ambivalent character of liberty. By consenting to liberty, the door is not only opened to secularization, but to the necessity of living in the world that emerges, and to consent to the logic of its understanding of freedom.⁷⁴⁹ For example, Christians must consent

⁷⁴⁶ Tinder, *Political Meaning*, 102.

⁷⁴⁷ *Ibid.*, 102-3.

⁷⁴⁸ *Ibid.*, 103.

⁷⁴⁹ *Ibid.*

to laws built on the secular determination of human rights, and thereby align themselves with its secularizing influences.

In short, the notions of liberty, freedom and the articulation of human rights present a considerable dilemma for those committed to Christian faith.

Likewise, the notion of community presents its problems. According to Tinder, the two predominant models of community are the “organic interdependence” model and the “justice” model. But both these fall short. The first assumes that community exists as an organism in which individual members cooperate as they do in a healthy body. Despite the presumed interdependence of members, this model tends to depersonalize individuals by emphasizing their functionality. The Christian tradition contains such a conception, notably in 1 Corinthians, chapters 12 and 14. Here Paul speaks of the inner structure of the church in terms of the organic model as he lists several functions and gifts of its members for the ruling, administration and building up of the body. Yet Paul himself goes further when he points to *agape* as “a more excellent way” (1 Cor 12:31), for without *love* the functional model of community is seriously deficient.⁷⁵⁰

As regards the “justice model” of community, Tinder notes that it too fails for similar reasons. It devalues the individual through impartiality. While society must strive to remove injustices, justice cannot be equated with community. *Agape* must look beyond justice if “compromising our consciousness of the ontological and moral ultimacy of the individual human being” is to be avoided.⁷⁵¹ How then is community to be defined if both these models are inadequate – because *agape* precludes treating persons only according to their social function or as depersonalized recipients of an abstract justice?

As we saw in what we termed the politics of Jesus, he demonstrated that covenantal love demanded more than an abstract humanitarianism. He confronted human neediness at a number of different levels, including the physical, the communal and the spiritual. By exhorting his hearers to “seek first the kingdom of

⁷⁵⁰ Tinder, *Political Meaning*, 118.

⁷⁵¹ *Ibid.*, 119.

God” (Mt 6:33), he made it clear that there are needs that transcend the mundane if human beings are to live fully. A central consideration is the need for meaning and truth, for as John’s Gospel has it, “the truth will set you free” (Jn 8:32). For Jesus, the will of God and truth were identical, for truth is understood in reference to God and living according to the divine will in a covenantal relationship.

As we have seen in Chapters 5 and 7, a dialogical structure underlies both revelation and community. It is a question of being conformed to the divine image grounded in the mutual love of the Trinity as this comes to expression in the incarnation of the Word. The incarnation is the dialogical act *par excellence* as God seeks out and befriends his erring and idolatrous creature. If, then, this dialogical relationship is the framework of God’s presence to the world, it cannot permit any form of coercion. Christian realism, in its awareness of the power of evil and the structures of violence, does not expect the present world-order simply to evolve of its own accord into a realm of peace and the absence of conflict. Acquisitive desire will always produce a degree of social disorder that makes corrective action necessary on the part of the social institutions whose mandate it is to exercise legitimate power, lest society collapse in a welter of conflict and injustices.

The use of force in maintaining the civil order has been the focus of debate within the Christian community. Two complementary views may be discerned. On the one hand, the sword is legitimate only because God accommodates sin. Therefore, its use conflicts with Christian discipleship. On the other, the sword while representing an expression of fallenness is divinely ordained for the sake of justice. Its use does not conflict with Christian discipleship.⁷⁵²

In any case, social realism – Christian or otherwise – accepts that violent forms of evil must be resisted if civilized life in a fallen world is to be possible. There is, nevertheless, place for a certain kind of Christian skepticism and reserve, even given the legitimate use of power in some situations. Tom Frame, for example, writes, “Knowing the time and the place in which the ‘sword’ can or ought to be

⁷⁵² Nigel G. Wright, *Disavowing Constantine: Mission, Church and the Social Order in the Theologies of John Howard Yoder and Jürgen Moltmann*, A Radical Baptist Perspective on Church, Society and State, Paternoster Biblical and Theological Monographs (Carlisle, UK: Paternoster Press, 1999), 170.

drawn will continue to determine whether its use will bring humanity nearer to heaven or to hell”.⁷⁵³

Because evil makes necessary the use of force, radical pacifism is not an option for the state without opening the door to the greater evil of anarchy. While granting the impracticality of radical pacifism on the part of the state, the extent of its use of power provokes enormous questions given the capacities it possesses in this age of nuclear and bio-chemical weaponry.

Despite admitting that the occasional and controlled use of force by the state may be unavoidable, prophetic voices must be heard. These speak from a deep commitment to another possibility. The church as a worshipping community witness to the action of God in history in order that repressive institutions may be converted to a sociality that acknowledges the transcendent dignity of each person and hope for the fulfilment of human history in God.⁷⁵⁴ This vision and hope shape Christian political thinking – including its discernment of the uses of power. Tinder offers a valuable summary statement when he writes,

Christians look on power from the vantage point of *agape*. Power degrades individuals, however provisionally and benevolently; *agape* exalts them. It is true that *agape* often needs power to attain its purposes, but this implies simply that within history pure *agape* is not possible. *Agape* and power have to be combined, and the greatest political leaders are those who can respond to this tragic necessity, using power as circumstances require but subordinating it to love.⁷⁵⁵

Needless to say, as the above passage suggests, there is no possibility of an overarching political theory or systematic comprehension of how Christian love and the use of power are compatible. How all this works out in practice can be resolved only in concrete political situations. But the recognition of this tension is necessary in the constitution of any community that seeks to cherish the values of truth and freedom. Problems are inescapable for power is terrible. As Ellul has long argued, in the name of power rational persuasion deteriorates into propaganda, so that

⁷⁵³ Tom Frame, *Living by the Sword? The Ethics of Armed Intervention* (Sydney: University of New South Wales Press, 2004), 243.

⁷⁵⁴ For an exposition of practices see John Howard Yoder, *Body Politics: Five Practices of Community before the Watching World* (Nashville, Tenn.: Discipleship Resources, 1992); also Murphy & Ellis, *Moral Nature*, 190-192.

⁷⁵⁵ Tinder, *Political Meaning*, 135.

calculable political outcomes matter more than the freedom of individuals to pursue the truth in freedom.⁷⁵⁶

Since the New Testament does not present a one-dimensional attitude to power, the community of Christ lives in an uneasy relationship with the state.⁷⁵⁷ On the one hand, the church cannot do without it to keep order in society. It must leave the responsibility for wielding the sword in the hands of the state, where it functions as the “symbol of our fallenness” (Rom 13:1-7). On the other, it must renounce the possibility of furthering its mission by means of the state. By the same token, the church is also called to political engagement by taking a critical-prophetic stance *vis-à-vis* the power structures of the world. Therefore, it must keep its prophetic distance, without resorting to the voice of doctrinaire certainty. It must speak and act from a place of brokenness, knowing that its own ideals cannot be achieved in history except “occasionally and fragmentarily”.⁷⁵⁸ Yet, as the bearer and steward of God’s promise of future fulfillment, it must always speak in hope in the One who sustains it in the midst of these tensions, while both church and world are on the way to the consummation of God’s purpose.

As it progresses through history – despite its many failures to be faithful to its calling – the church is nonetheless God’s “primary vehicle for mirroring the divine image.”⁷⁵⁹ Its very existence signifies a “spiritual temple”, the habitation of God through the Spirit (Eph 2:19-29). In the midst of a broken and divided world, this pilgrim-community is called to serve as a prophetic sign through its surrender to the grace of God above all. Drawing its life from the primordial community of the Trinity, it expresses before the “principalities and powers” the character and wisdom of God (Eph 3:10) through community and kenotic service.

In this prophetic engagement with the world, the church also reveals the truth of Christian convictions. This truth resides, according to Hauerwas, in the power of

⁷⁵⁶ Jacques Ellul, *The Humiliation of the Word* (Grand Rapids: Eerdmans, 1985); *The Subversion of Christianity* (Grand Rapids: Eerdmans, 1986).

⁷⁵⁷ See Walter E. Pilgrim, *Uneasy Neighbors: Church and State in the New Testament*, *Overtures to Theology* (Minneapolis: Fortress Press, 1999).

⁷⁵⁸ Tinder, *Political Meaning*, 139.

⁷⁵⁹ Grenz, *Theology for the Community*, 637.

the Christian story to “form and sustain a community sufficient to acknowledge the divided character of the world”. In other words, the existence of this pilgrim-community in the world is evidence for the truth-value of its claims. The church is, therefore, not a contingent social phenomenon in the divine economy; rather, it constitutes a reality that is “other” than the world precisely because the drama of God has formed it. While it does not insist on the falsity of all other positions, the church witnesses to a reality that cannot be ignored and the faith built on it (Eph 2:20) flows from the self-revelation of the one, true God.⁷⁶⁰ Far from requiring withdrawal into a ghetto, the church is called into active engagement with the world. Because this engagement has a prophetic edge, the church acts in a particular manner. Hauerwas writes,

[W]hile still God’s good creation, [the world] is the realm that knows not God and is thus characterized by the fears that constantly fuel the fires of violence. We live in a mad existence where some people kill other people for abstract and unworthy entities called nations. The church’s first task is not to make the nation-state system work, but rather to remind us that the nation—especially as we know it today—is not an ontological necessity for human living. The church, as an international society, is a sign that God, not nations, rules this world.⁷⁶¹

This calling of the church to be a sign is inherent in the proclamation of the kingdom of God, which in itself constitutes the most far-reaching political claim. The universal scope of the reign of God relativizes every other form of rule, whether these derive from claims of the state, cultural tradition and social custom, or of any other form of exercising authority in the world; and this includes claims to authority stemming from the system of human rights. The Word of God as the word of liberation from death and from the fear of death calls all such claims to account.⁷⁶²

⁷⁶⁰ Stanley Hauerwas, “The Church in a Divided World: The Interpretive Power of the Christian Story”, *Journal of Christian Ethics* 8, no. 1 (1980), 55-82.

⁷⁶¹ *Ibid.*, 75.

⁷⁶² It may be plausibly argued that there is a certain danger for the church of Jesus Christ to deploy human rights language uncritically, especially if natural human rights are fiction (MacIntyre, *After Virtue*, 64-67). When the church speaks with the vocabulary of human rights it seems to undermine its cause simply by endorsing the liberal presupposition of the human rights agenda which sees the human person as an autonomous individual over and against others, and whose independent moral standard is taken to transcend all cultural and religious differences. See also the preceding discussion on liberty and community.

Although the church often fails at the prophetic task through concessions to expediency, even complicity with violence, it cannot limit God's action in the world. Through the activity of the Holy Spirit he may nurture a "remnant" which in turn may become the source of renewal of the church's conviction that it must take the narrow path.

Human Rights or Call to Pro-Existence?

Both Israel's social vision and the politics of Jesus have resonances in the modern articulation of human rights. However, the paradigm of human rights whose anthropology turns living, breathing, feeling human beings into an abstraction, cannot be related in an unqualified manner to the kind of existence to which Jesus summons his followers. Ever since the Easter-event new hopes have become possible for the entire human race through the vivifying presence of the risen Jesus and the indwelling Spirit. When the vast potentialities for healing and wholeness inherent in this event begin to take hold of the imagination of hope, life-giving possibilities of personal and communal transformation occur within human history, as the Marxist philosopher, Ernst Bloch concedes in his monumental *Das Prinzip Hoffnung*.⁷⁶³

The creative reach of hope is nowhere more radically articulated than in the Sermon on the Mount. In this paradigmatic utterance, Jesus sharpens our understanding of the inadequacy of former conventions; and thereby points to the possibilities of the transformation of desire, in its hungering and thirsting for true justice and peace. This righteousness names covetousness as idolatry (Lk 12:15; Col 3:5), unchaste looks as adultery (Mt 5:27-28), and anger as deserving judgment like murder (Mt 5:21-22). Jesus makes plain that God's liberating grace summons his followers to renounce the demands of the old order and to live an authentically human existence based on a social ethic rooted in the imitation of him whose whole existence was given for all. In this regard, his "pro-existence" distinguishes the following of Jesus from the paradigm of human rights. Three aspects stand out.

First, in the drama (Chapter 7), Jesus Christ offers himself as the sufferer for all. In his Passion, he stands in the place of all who are oppressed, who are bereft of

⁷⁶³ Ernst Bloch, *The Principle of Hope*, American Edition. Studies in Contemporary German Social Thought (Cambridge, Mass.: MIT Press, 1995).

dignity and fundamental rights. Afflicted as he was by state and religious powers, he is at once most human in suffering the loss of dignity and rights, and yet he is at the same time the embodiment of divine pro-existence. He acts beneficently towards all by offering forgiveness to all, even as he suffers violence from their hands. Empowered by his Spirit, his followers are called into imitation of him. Yet, such a form of pro-existence runs against the grain of human self-preservation and the self-promoting individualism of our day with its implicit rejection of the other through an ideology of individual rights which demands that others be sacrificed.

Moreover, Christ's Sermon on the Mount addresses only those who have responded to his call. It does not directly bear on the "inherent dignity ... of all members of the human family ..." (Preamble of the UDHR). At the same time, the Sermon is pronounced against the background of the universal presence of sin which produces socio-historical conditions that contradict human existence, dignity, liberty and brotherly love. Those, who through faith have consented to open themselves to Christ's redemptive work, also participate in his liberating activity. They take to heart the struggle against the old oppressive order. By hearing the word of Christ they respond to it by sharing in Spirit, and so embody the ethos of Sermon in a mimetic following of Jesus.

Through this new form of mimesis, Christian hope proposes a far-reaching alternative to atheistic conceptions of the future. It speaks of destiny, not fate, of redemption, not of an historical process; it anticipates the kingdom of God, and does not look to moral progress as humanity's ultimate achievement. These different approaches have profound implications for the perception of how the human condition may be altered. For instance, contemporary society, including the human rights system, may feel justified in rejecting the Christian option while at the same time presuming to maintain its goals of a meaningful destiny and a community of love and forgiveness. Glenn Tinder considers, however, that without Christianity "the logical grounds for attributing a peculiar dignity to every individual, regardless of outward character, disappear".⁷⁶⁴ If values associated with human dignity begin to suffer from the removal of their "logical grounds", the foundations of human rights and of the political and moral order on which Western civilization is built

⁷⁶⁴ Tinder, *Political Meaning*, 48. For a wider discussion of this issue see Robert P. Kraynak and Glenn E. Tinder, *In Defense of Human Dignity: Essays for Our Times*, Loyola Topics in Political Philosophy (Notre Dame, Ind.: University of Notre Dame Press, 2003).

begin to crumble. I shall demonstrate the same point from the position of mimetic theory shortly.

When the Sermon on the Mount declares that humanity cannot serve two masters (Mt 6:22-24), it clearly recognizes the alternatives involved. The call of Christ involves a radical choice. Human life is either lived out in surrender to God, or subjected to the dark urges of acquisitive desire. Responding positively to Christ's summons, in an attitude of creaturely simplicity towards the Creator, frees human beings from the compulsion to grasp and possess (Mt 6:25ff). Refusing Christ's call, on the other hand, means that the drive to secure the goods of life is infected by the dynamics of rivalrous acquisition, as mammon rules. Having renounced the deceptive security of mammon, those who follow after the "better righteousness" (Mt 5:20), are called both "poor" and "blessed".

The contrast between pro-existence and the paradigm of human rights can be taken further. The Christian vocation affects the way in which even lawful rights claims may be asserted. Jesus exhorts the disciples not to respond to injury with the *lex talionis* demanding "a tooth for a tooth", which in the OT represented legitimate violence, but by turning the other cheek (Mt 5:38-42). The former way of settling disputes protected personal rights (Ex 21:24; Lev 24:20; Deut 19:21), making community life possible by delimiting vendettas, protecting people against personal injustice and ensuring commensurate punishment of offenders. When Jesus sets his teaching over and against this former way, he takes the principle of non-retaliation to a higher level. We would miss the point of Jesus' challenge if his injunction "not to resist an evil person" were to be interpreted as a judicial substitute for personal revenge. The follower of Christ is not to fight law with law, thus opening the way to violent forms of litigation and more general attitudes of litigiousness.⁷⁶⁵ As Carson makes clear, the import of Jesus' words could be expressed as saying, "do not resist in a court of law".⁷⁶⁶

⁷⁶⁵ Given human vindictiveness, any law designed to limit vengeance may be used for its justification, which remains one of the besetting problem of the human rights project.

⁷⁶⁶ This interpretation, Carson argues, is supported by the instruction to yield gladly what people were legally entitled to keep: the "inalienable possession" of a cloak (D. A. Carson, "Matthew", in *The Expositors Bible Commentary: Matthew, Mark, Luke*, ed. Frank E. Gaebelein [Grand Rapids: Zondervan Publishing House, 1984], 155-156).

Jesus, therefore, de-legitimizes for his followers an appeal to the legal system as a means of settling disputes. He addresses deeper issues affecting the human condition, in the name of a justice based on love.⁷⁶⁷ While the law may keep covetousness and even violence within manageable limits, ultimately legal remedy is no answer to “the river of violence which flows from the human heart”, to use Piper’s phrase.⁷⁶⁸ As with many of Jesus’ utterances, his rejection of the law in the name of another justice has a peculiar shock value. Biblical hyperbole often points to an eschatological meaning, and especially in this case. In the new age predicted by the prophets (Jer 31:31-34; 32:37-41; Ezek 36:46), a new heart and a new spirit will be given to enable God’s people to live out a new justice. Against this background of expectation, Jesus is expressing the character of genuine freedom from retaliatory attitudes. This freedom will manifest itself in forgiveness, that is, in the new mimesis based on conformity to the crucified and risen Victim.

Called to share in his death (Mt 10:38-39), Christ’s followers experience a kind of dying to any reliance on human schemes for the attainment of peace and security to the exclusion of God. This kind of loss is inherent in God’s promise of eternal life. Carson speaks in terms of “principal death” to self-interest, and of a “principal commitment” to Jesus Christ himself,⁷⁶⁹ where the neologism “principal” connotes not only the principle, but the actual life-transforming reality of the principle itself, that is, Christ. While a new order of life is the promise, any system that it contests will be provoked to violent reaction (Mt 10:24-25). Those who “hunger and thirst after righteousness” do not have a place in the system they call into question.

⁷⁶⁷ Paul makes a similar point in 1 Cor 6:1-7 where he criticizes the practice of the Corinthian congregation to settle non-criminal property cases before non-Christian judges according to Roman legal standards rather than standards of God (W. Harold Mare, “1 Corinthians,” in *The Expositor’s Bible Commentary*, ed. Frank E. Gaebelin, vol. 10 [Grand Rapids: Zondervan Publishing House, 1976], 175-297, p. 221-223). Since the very existence of disputes over property as a sign of covetousness is spiritual defeat for them, as Paul writes in v.7, they should have been willing to suffer wrong rather than insist on a strictly legal way of settling such cases. At least they should have attempted to settle them among themselves. Like Jesus, Paul advocates justice grounded in love. Criminal cases, however, were to be tried before legally constituted courts.

⁷⁶⁸ John Piper, “*Love Your Enemies*”: *Jesus’ Love Command in the Synoptic Gospels and in the Early Christian Paraenesis: A History of the Tradition and Interpretation of Its Uses* (Cambridge: CUP, 1979), 90.

⁷⁶⁹ D.A. Carson, *Jesus’ Sermon on the Mount: His Confrontation with the World* (Grand Rapids: Global Christian Publishers, 1978, 1987, 1999), 270.

While the Sermon on the Mount is not inimical to the longing that found expression in human rights, in light of two thousand years of proclamation the notion of universal human rights “appears to be a novel teaching of dubious origin” as Roger Ruston puts it. There can be no doubt that for the church a “deep ambivalence remains” in relation to the human rights movement, even though the church has largely embraced it.⁷⁷⁰ In the ambiguities inherent in a fallen world, the human rights project seems to be a necessary structure, and one could go as far as saying that it affirms what the Sermon implicitly proclaims, namely, the possibility of a new order. However, hope for a new order is in the Christian vision not located in any form of self-redemption, but in God’s action in history. That the followers of Christ participate in such action is part of the mystery of faith that receives its light and energies from God. Communal transformation is, therefore, not a merely human possibility in the way the human rights project affirms it. Indeed, given the presence of human sin, championing the rights of the oppressed without repentance and grace too readily turns into an exercise in self-righteous self-magnification.

Finally, the Christian existence is radically different from atheistic conceptions of social thought – even if the starting point is, as Habermas proposes, a dialogical model of human intersubjectivity. For him, secularization has meant that the integrative power of religion is replaced by “communicative action”.⁷⁷¹ Admittedly, Habermas’ understanding of “religion” is more in accord with what, in Girardian terms, is simply the primitive sacred, in contrast to the Judeo-Christian tradition. Habermas cannot, therefore, appreciate the ability of the Judeo-Christian narrative to critique collective communicativity, nor offer a radical critique of structural violence.⁷⁷²

To sum up, these theological reflections have shown that, despite the undeniable echo of the Judeo-Christian tradition in contemporary human rights thinking, the Christian view of humanity, its understanding of human liberty, dignity

⁷⁷⁰ Ruston, *Human Rights and the Image of God*, 3-4.

⁷⁷¹ Jürgen Habermas, *Moral Consciousness and Communicative Action*, trans. Christian Lenhardt and Shierry Weber Nicholsen, with an Introduction by Thomas McCarthy (Cambridge, UK: Polity Press, 1990).

⁷⁷² Wolfgang Palaver, “Macht und Gewalt”, in *Theologische Ethik Im Diskurs: Eine Einführung*, ed. Walter Lesch and Alberto Bondolfi (Tübingen; Basel: Francke Verlag, 1995), 191-211.

and community differ considerably from atheistic conceptions of life, and so does its vision of the future and its source of hope. These differences have serious implications for the way the present crisis, particularly the question of human violence is addressed. In this respect, the study has attempted to demonstrate the explanatory power of mimetic theory in conjunction with Christian truth claims.

CONCLUSION

Dignity and Destiny

As we have seen, at stake is the restoration of the true image of God. The value of the human is gauged by the depth of God's affirmation of human existence in Christ, in a divine intention operative "from before the foundation of the world" (Eph 1:4). Although fallen, human beings are beloved and exalted. While they are sinners, they are justified – as bearers of God's image, no matter how perverted, they are destined for glory. Since God promises to conform human beings to the image of his Son "that [the Son] might be the firstborn among many brethren" (Rom 8: 29-30), human destiny becomes the "drama of discovery and realization" of which Christ is the underlying principle.⁷⁷³ Destiny, therefore, is not fate with its deterministic connotations. Destiny, rather, presents an open future which, although divinely ordained, invites free and active human participation. Human destiny is fulfilled by entering the drama of salvation in response to God's call in history.

The God-given dignity of human beings has implications in our discussion of human rights. The UDHR can speak of such values as our "inherent dignity" and our "equal and inalienable rights" as the "foundation of freedom, justice and peace in the world". However, it is rarely considered that these values, which lend shape to our political and legal order, have a theological foundation. These values stand opposed to all forms of victimization. But if these values are presented as the signal achievements of "enlightened reason", the fact that this "enlightenment" is gained at the expense of the innocent Victim and thus remains tied to the victimary mechanism is obscured. When the divine/human drama ceases to be the theological foundation of

⁷⁷³ Tinder, *Political Meaning*, 29.

human dignity, human liberation is reduced to illusionary processes such as humanly activated “emancipation” and humanly engineered “progress”. But neither “emancipation” nor “progress” can deliver from the entrapment to mimetic violence or bring freedom from the associated guilt and the existential “angst” that is rooted in the fear of death. As Metz reminds us, “No inner-worldly improvement in the conditions of liberty is sufficient to grant justice to the dead, nor does it touch redemptively the injustice and absurdity of past sorrows”.⁷⁷⁴

What then of the future of human rights? Here I return to the question left open at the beginning of the chapter whether the human rights project is futile because it cannot breach the vicious circle of the politics of cruelty.

Penultimate and Ultimate Hope

Implicit in the above question is again the question of hope. Cast in this wider context, we can ask, what hope can a world view offer if Christian hope is rejected? As pointed out, the human rights discourse conceives of human existence in autonomous terms, while it derives its hope from belief in human progress as a result of the dialectic between the politics of power and resistance.⁷⁷⁵ Hence humanity interprets itself according to human possibilities. In the realm of social ethics these possibilities are given by the categories of “good and evil” of which humanity has become the creator and judge.

The world, however, cannot escape the influence of God’s self-revelation in Jesus Christ. Throughout the Christian era, concern for victims has shaped the world’s cultural evolution to the point where this concern has become, according to Girard, the central value of a planetary culture. That the world is becoming one culture, he writes, “is the fruit of this concern and not the reverse. In all areas of activity – economic, scientific, artistic, and even religious – it is the concern for victims that determines what is most important”. The reason that the concern for

⁷⁷⁴ Metz, “Erlösung und Emancipation”, 131 (my translation).

⁷⁷⁵ It is worth emphasizing that the human rights project is methodologically atheistic. It entertains no apocalyptic vision and no imminent expectation, only an evolutionary conception of time.

victims appears in full view at this stage of culture is that “all the great expressions of modern thought are exhausted and discredited”.⁷⁷⁶

While powerful forces in the West have sought to eliminate Christianity, the more the Christian foundations have been denied, the more this concern for victims has been radicalized,⁷⁷⁷ not the least through the universal claims of human rights. What remains hidden from view, however, is the fact that the human rights paradigm is foundationally dependent on the Christian concern for victims. Yet, the international human rights discourse, while maintaining concern for victims as its fundamental value, tends to adopt a thoroughly anti-Christian stance. But an anti-Christian position logically demands the “revaluation of all values” as Nietzsche saw with unsurpassed clarity. Especially the concern for victims would have to be renounced. Whether human rights theories acknowledge it or not, the denial of Christ as the source of this concern has consequences. One of them is the gradual devolution of a loving concern for victims into an ideological focus which is threatening to turn into a new totalitarianism.

Girard sees in this ideological movement a “most cunning and malicious” force that no longer “opposes Christianity openly but outflanks it on the left wing” by radicalizing the concern for victims “in order to paganize it”.⁷⁷⁸ It cannot offer forgiveness nor can it heal the torn fabric of human existence. It can only offer “human rights as trumps”. It is precisely in such a triumphalist shift that we witness the re-appearance of the ancient combat myth. In short, the attempt to expel Christianity must be recognized for what it really is: the relentless presence of mimetic violence.

But, as we saw in Chapter 6, mimetic violence is identified with the figure of Satan, whose deceptive dynamism can only be effectively unmasked by the gospel. If

⁷⁷⁶ Girard, *I See Satan Fall*, 178.

⁷⁷⁷ *Ibid.*, 179.

⁷⁷⁸ *Ibid.*, 180.

this is so, we may conclude with Girard that any other belief system that poses as a bringer of peace and security effectively seeks to usurp the place of Christ.⁷⁷⁹

There is no doubt that the church has grossly failed to live up to its own ideals, and through guilt has become open to manipulation by the accusing polemic and the furious rhetoric of the anti-Christian forces in the world who present themselves as liberators of humanity. That this “psychological violence” is also a form of mimetic violence is seldom recognized.

Wink’s explanation of the powers is helpful in relation to the human rights project. He writes:

The Powers are at one and the same time ordained by God and in the power of Satan. They can, to some degree, be humanized, but they are still fallen. They can be open to transcendence, but they will still do evil. They may be benign, but within a Domination System of general malignancy.⁷⁸⁰

The implications of this view for an understanding of the human rights paradigm and its future are important. This perspective frees us from the naïve notion that the paradigm of human rights is intrinsically “good” and capable in itself of transforming society. It also removes the misconception that such a capability may be realized by radicalizing the concern for victims or by appropriate reforms. Its limited viability as a transformative power and source of hope is determined at another level. To illustrate, let us consider once more the issue of mimesis.

When the collective consciousness that manifests as the human rights paradigm imitates Christian values as a mimetic rival imitates a model, it is in order to defeat the rival. Such an imitation would make human rights not benign. Besides, the attempt to defeat Christ is futile, for Christ – having been raised from the dead – cannot be defeated. This affirmation expressed in the idiom of the New Testament reads:

‘Behold, I am laying in Zion a stone, a cornerstone, chosen and precious, and he who believes in him will not be put to shame.’ To you therefore who believe, he is precious, but for those who do not believe, ‘The very stone that the builders rejected

⁷⁷⁹ Girard, *I See Satan Fall*, 180-81.

⁷⁸⁰ Wink, *Engaging the Powers*, 70.

has become the head of the corner,' and 'a stone that will make men stumble, a rock that will make them fall'. (1 Pet 2:6-8a)

In other words, the futility of the attempt to defeat Christ will become apparent in history. In this key, then, the future of human rights remains suspended between divine judgment on the forces of mimetic rivalry and the promise of the gospel which announces the coming of a not yet existing reality, a future that is rooted in God himself.

This limit of the secular scheme becomes apparent in other ways. For it to emerge, one has only to extend the time horizon of the question of hope. Scientific cosmology paints a rather gloomy picture of the long-term future. The cosmos will either continue to expand until all energy is dissipated, or contract causing the universe to implode in a cosmic meltdown. But the question of ultimate hope confronts the human race long before the demise of the cosmos – at the moment of death. Polkinghorne sums it up well when he writes,

Whatever hopes there might be of human progress within history, they can amount to no more than a stay of execution of a sentence of inevitable futility ... Eventually [carbon-based life] will prove only to have been a transient episode in cosmic history.⁷⁸¹

In other words, a world-view that relegates the reality of the living God to the place of an auxiliary hypothesis at best leads to the nihilism of an ultimately meaningless existence. Strictly speaking, what makes sense in such a scheme are not equal dignity and human rights but a Nietzschean will to power with its inherent disregard for such values.

The Christian view offers yet a further conclusion in respect of the limited effectiveness of human rights as a source of hope. If the death of Christ is understood as God's ultimate "no" to sin and radical evil (breaking its power), and if this death revealed the exorbitant cost to God of human salvation and thereby the inestimable value of each human person, then the "no" of human rights to radical evil is too human a "no". Human solidarity with sin renders the "no" of the politics of resistance, taken by itself, an ever ineffectual one because the ideological concern for

⁷⁸¹ John Polkinghorne, *The God of Hope and the End of the World* (London: SPCK, 2002), 11.

victims obliterates in the final analysis the distinction between the politics of resistance and the politics of concealment.

As this study has attempted to show, it is trust in the revelation of God that lends credibility to hope beyond death, even beyond history. Such hope embraces a new vision of humanity in which God no longer appears as a rival. Because in Christ the divine image has been restored, a new vision for humanity is possible: supposed human rivals – even enemies and persecutors – are seen no longer in their menacing otherness but as brothers. This view is, however, only possible where the deception of self-centered existence, of rivalistic consciousness with its hostile projections on others has been overcome. Now others are loved for their own sake, and find protection for their dignity, for their rights and lives, even for the lives of enemies. In other words, faith in the living God means being caught up in God's action in history. It brings forth the mimesis of the divine "yes" in Christ which broke into human history out of a world beyond this world. Because in the advent of Christ the divine has been actualized in the human, history itself is being transformed. Hence there is hope that even in their penultimate existence human beings and their institutions may become oriented towards God's purpose such that tyrannical powers lose their grip and new opportunities for community-building open up.

Jesus witnessed publicly in a prophetic critique of the social, political, religious and economic structures of his time, and it was in this tradition that Mahatma Gandhi, Martin-Luther King and many, many others have been non-violent witnesses to the hope that social transformation is possible. Two recent examples come to mind: the costly "kenotic politics" that abolished apartheid in South Africa under the leadership of Bishop Desmond Tutu and Nelson Mandela in whom the peaceful movement towards reconciliation found courageous expression; and the non-violent mass movement led by Cory Aquino and Cardinal Sin that brought the Marcos regime in the Philippines to its knees. In each case, the new community played a restorative and re-creative role.

Golda Meir, former Prime Minister of Israel, also testifies eloquently to the "politics of love". In 1948, she was appointed as Israel's first ambassador to the Soviet Union. The State of Israel was brand new. Stalinism was at its peak. Although the USSR was a signatory to the U.N. Charter, Jews had no rights. Stalin had

proclaimed war on Judaism, Zionism was a crime and the Jews of the Soviet Union had been cut off from fellow-Jews since the Soviet Revolution in 1917. The study of Torah was banned. This is her account:

The first Shabbat after I had presented my credentials my embassy staff joined me for services at the Moscow Great Synagogue. It was practically empty. But the news of our arrival in Moscow spread quickly, so that when we went a second time, for the festivals, the street in front of the synagogue was jam packed. Close to 50,000 people were waiting for us – old people and teenagers, babies carried in parents' arms, even men in officer uniforms of the Red Army. Despite all the risks, all the official threats to stay away from us, these Jews had come to celebrate the Jewish state's establishment and to demonstrate their kinship with us. Inside the synagogue the demonstration was the same. Without speeches or parades, these Jews were showing their love for Israel and the Jewish people, and I was their symbol. I was caught up in a torrent of love so strong it literally took my breath away.⁷⁸²

Whether they were conscious of it or not at the time, these Jews also stood in silent protest against oppression and tyranny everywhere. In this sense, they stood in solidarity with the revelation of the God of Abraham, Isaac and Jacob whose liberating action in history is so deeply woven into their faith tradition. Convinced of the worthwhileness of their action they had come to show their love, hoping that their risky prophetic stance would not be in vain. Anthony Kelly affirms for us the importance of such hope from the perspective of trinitarian love:

The worthwhileness of all our efforts to create a global humanity of peace and justice will find its ultimate value in the Love that continues to give itself. Our limited horizons are expanded into an overarching horizon of hope, in adoration, even now, of the God who will be 'everything to everyone.'⁷⁸³

Because the God of history has in Christ reconciled the world to himself, there is only one reality, only one realm, and God's "yes" embraces both the victims of human violations as well as their perpetrators in justice and love. Each, in their own particularity, is addressed by the word of Christ, "Come unto me, all you who labor and are heavy laden, and I will give you rest..." (Mt 11:28). His gracious invitation does not accuse, does not seek personal or political advantage, rather it beckons, offering forgiveness and restoration to victims and perpetrators alike. Wherever, therefore, truly kenotic action takes place that works justice and secures the rights of the oppressed,

⁷⁸² Yehudi Avner, "Once Upon a Succa Time", *The International Jerusalem Post*, 17 October 2005, Features, 13.

⁷⁸³ Anthony Kelly, *The Trinity of Love*, New Theology Series, vol. 4 (Wilmington, Delaware: Michael Glazier, 1989), 27.

wherever steps are taken that heal the torn fabric of human existence, wherever dignity is bestowed by one human being on another, wherever the hidden urges of mimetic rivalry and resentment are brought into the light and human suffering is experienced as shared anguish leading to repentance and compassionate practice, there the Spirit of the living Christ would say, “You are not far from the kingdom of God” (Mk 12:34). In this kingdom, where forgiveness heals the wounds of the past, Cain and Abel may be brothers once more.

The next and final chapter presents a thematic summary of the conclusions reached in this study.

CHAPTER 9

THEMATIC SUMMARY OF CONCLUSIONS

This chapter draws together the main themes of this project. I offer the following twenty three theses as a convenient summary of the work and the conclusions it has reached.

THE TRIUNE GOD⁷⁸⁴

Thesis 1: *The doctrine of the Trinity is the ground of all Christian theology, for a Christian understanding of the image of God, of creation, the moral and social order, of human personhood, freedom and rights.*

Because the triune God has revealed himself as a “self-giving Being, from which the gifts of creation and grace flow”,⁷⁸⁵ the doctrine of the Trinity elucidates both the foundation and form of creation and, at the human level, the moral and social order. Here, “gift” is understood first *ad intra* as the reciprocal bestowal of Love and the yielding of divine persons to one another. Then, what is intrinsic to the trinitarian Being, namely the mutual participation in “perichoretic relationality”⁷⁸⁶ (of which the Father is the originating origin), is perceived at the finite level as a dynamic view of creation with its diverse life-promoting associations and interdependencies, including human participation in God’s creative activity through “good mimesis”. Human beings, I have argued, were especially equipped above all other creatures to be the

⁷⁸⁴ The exploration of the doctrine in Chapter 5 sought to ground the notion of human mimesis in the divine life. Here I merely highlight pertinent points that emerged from the theological and anthropological discussion.

⁷⁸⁵ Anthony Kelly, “A Trinitarian Moral Theology”, *Studies in Moral Theology* 39 (2001): 245-89, p. 268-69. Kelly writes, “The eternal self-constitution of the Trinity as Father, Son and Spirit ... thus determines the giving and form of and circulation of the gift to the order of creation. A univocal notion of ‘gift’ is not the all-embracing concept that determines our understanding God’s self-gift to creation, but the Trinity, confessed in faith and understood analogically, that affords the deepest intelligibility of the gift and its manifold, analogical forms”. When this “immanent reality of God” breaks into the economy of human giving, it makes a difference (p. 269).

⁷⁸⁶ *Ibid.*

“image of God” in this way. Indeed, human existence in its entirety is *capax Dei* and mimesis is the enabling (doxological) structure.

The call to “be God’s image”, that is, mediating his presence to the rest of creation has distinctly moral dimensions. It requires conformity to the divine character. Human mimesis, as an aspect of God’s ordering of creation, facilitates this conformity by allowing human moral agents – divinely enabled through the Spirit and the word – to participate mimetically in the perichoretic and moral relationality of the divine life through grateful receiving and gratuitous giving.⁷⁸⁷

The Trinity is absolutely free of sacred violence. Yet, in his love, God must confront humanity with its death-prone condition. Christian theology acknowledges two interactive movements: on the one hand, the positive outgoingness of the divine being in purity and goodness which conflicts with the present state of the beloved human creature; on the other, the effects of humanity’s rebellion against the Creator. Their painful consequences are designed to lead humanity to God’s abundant life through repentance of sin (*metanoia*), relinquishment of the old order (*exodus*) and into new mimesis (the *imitatio* of Christ). Since God longs to be “Abba” to every human being, we can also speak about “wrath” in terms of God’s experience. If human rebellion is foremost an offence against Love, and not a legal transgression, then “wrath” is the anguish of unrequited love.

Because the Trinity is the foundation of all relationality, the doctrine illuminates also the relational character of personhood. A trinitarian understanding leads to an interdividual anthropology which precludes a reduction of personhood to “individual self-consciousness”, yet without downplaying uniqueness and integrity. The doctrine thus functions as a wholesome critique of self-serving cultural norms of personhood.⁷⁸⁸

⁷⁸⁷ As Origen clearly perceived, human beings are defined at their deepest level by their relation with God, “and by the movement that leads to [their] becoming more like [their] model, thanks to the divine action ...” Participation in God was to be dynamically understood, “the image tends to rejoin the model and to reproduce it” (Crouzel, *Origen*, 95).

⁷⁸⁸ See Catherine Mowry LaCugna, *God for Us: The Trinity and Christian Life* (San Francisco: Harper Collins, 2000), 292.

The doctrine of the Trinity also elucidates the Christian understanding of freedom and rights as gifts. Theologically, the basis of freedom is the creation of humankind in the image of God. Freedom is thus relational. The relational aspect of freedom appears in human experience as the ability to respond to God's self-revelation and to form social relationships. This openness is the essence of human mimesis. It is reflected in the notion of covenant which presupposes the status of "freedom". Thus freedom belongs to the category of gift.⁷⁸⁹

The issue of "rights" only emerges when "free" human beings are called to express – through personal choices – the status bestowed on them by divine action in history. As a call to covenantal faithfulness, it implicitly demands the freedom to act counter-culturally, making necessary the possibility of claiming the right to be different (e.g. the prophetic stance). Such a right, like freedom, is also a gift. Correlated to the call and commitment to covenantal fidelity, the exercise of rights thus assumes the character of virtue, the "status symbol"⁷⁹⁰ of free human beings under God's moral ordering.

MIMETIC HUMANITY

Thesis 2: *The origin and mimetic form of human desire lies within the infinite transcendent reality of the Creator.*

Human beings exist as Trinity-oriented beings whose inner core consists of a divinely ordained indeterminacy that longs for further determination. This condition is experienced as emptiness and existential precariousness, as desire to be filled by another, as longing for transcendence. Because humanity's ultimate longing is grounded in the loving community of the Trinity, it is insatiable. It can neither be satisfied at the finite, material, sensual, or political level, nor must it be confused with appetites or biological needs.

⁷⁸⁹ Freedom is therefore a privilege, not a right we can claim (Cronin, *Rights and Christian Ethics*, 18). Cronin stresses this point as follows: "No one has the right to be created, much less to be created in God's image. Nor has humanity any claim to enter into covenant with God or to be redeemed by the Messiah, and thus liberated from the slavery of sin".

⁷⁹⁰ *Ibid.*

Thesis 3: *Human desire is suffered desire. It arises when a model mediates the desirability of an object. Yet, the mimesis of desire does not primarily aim to possess the object, but what the object signifies – the model proper.*

The intensity of this process becomes clear when the underlying acquisitiveness is understood as response to the perception of ontological emptiness or “lack of being” at the presence of another, which the acquisition promises to remedy. Acquisition thus aims at ontological self-sufficiency which renders desire essentially conflictual and potentially idolatrous. The ensuing conflict, which locks model and imitator into a *double-bind*, is irreconcilable except at the expense of the model. This dynamic, according to Girard, is the basis of all human relationships (in a fallen world), and paves the way for the sacrificial crisis where – at the height of the conflict – desire and violence can no longer be distinguished. The original sacrificial crisis ended in a collective murder of an innocent victim so that anthropologically speaking the elimination of the “other” is humanity’s defining act. Where does this leave such descriptors as *Homo sapiens* and *Homo necans* or, for that matter, the interpretive scheme of the social sciences? If Girard is correct, the term *Homo mimeticus* would not only be more fitting but also suggestive of a more penetrating analytical grasp through mimetic theory of the human condition, particularly the phenomenon of violence, in comparison with that of the social sciences.

SIN AND HUMAN FALLENNESS

Thesis 4: *The doctrine of original sin if interpreted through the mimetic hermeneutic explains the root of inter-human violence as a malignant disposition towards the Creator. God is seen as envious rival. This perverted image becomes causally and structurally effective in individuals and society to the point of self-destruction.*

Humans were created to function in particular ways. They were to worship the Creator and out of that mode of “being-in-love” imitate him. In abandoning this mode of being, they gave themselves to an absurdity, the absence of God, which is also their own decay and death.

Humanity although created in God's image and therefore "very good" is now "fallen" and estranged from God. Adam's sin corrupted the image of God. Seen through the eyes of envy, the "image" is perverted from benevolent transcendence to an inimical rival force.

The Christian concept of sin goes beyond the notion of personal moral failure and explains it as a malignant entity in human nature and in the world that works as a collective expression of humankind's rebellious assertion against God. It is the deliberate attempt to expel him from the human sphere. This hostile attitude towards the Creator shapes humanity's mind, will and conduct. The mimetic imagination now reflects humanity's resentful concupiscence rather than desire for God.

Since sin turns the "imitation of God" into envy, human freedom is corrupted. It now manifests as a desire to usurp the place of God. This "acquisitive" mimesis brings forth a host of social evils such as (criminal) offences against persons, war, genocide, terrorism, endemic violence, exploitation, large-scale poverty, even environmental degradation. Seeking to substitute the human for the divine, humanity asserts its own (political, economic, technological, judicial, cultural, religious) solutions to the human condition, idolizing power and dominion.

Sin may therefore be understood as an idolatrous attachment of humanity's mimetic capacities to a spurious projection, the primitive sacred. It produces the innate tendency to find and "eliminate" scapegoats as the first solution to relational crises. The unanimity of the sacrificial order, built as it is around the opposition to God, lends coherence to the political, social, economic, and cultural institutions, but fails to bring true peace. Because of the indeterminacy of human desire, the same mimetic violence that generates coherence through the victimary mechanism also subverts the surrogate peace of the world.

Sin also corrupts human communication and social structures. Under the influence of sin, words become deceptive instances of mere technique, propaganda and illusionary rhetoric. With this devaluation of the word, human speech ceases to be moral speech and humanity's most distinguishing feature is dehumanized. Since the human word is also the analogue of the divine Word, its moral devaluation

devalues the divine referent, testifying to the profound alienation from humanity's trinitarian origin, that is, from its ultimate source of moral and social cohesion.

Because of the solidarity of all human beings in sin, this solidarity is not only spatial but also historical going back to the beginning. In the age of globalization, more and more sin becomes collective. Individuals, by virtue of their participation in the affairs of the world, are forced into collective sin.

The doctrine of sin is not an invention of theologians but an expression of the biblically certified and empirically demonstrable human bias toward evil. It is a statement about reality: this is the way things are with us humans. All human beings without exception are culpably complicit with it. They invent and extend the presence of evil in the world, so that all stand in need of being set free from its cumulative guilt as well as from sin's power and presence.

Thesis 5: *Sin obeys the law of mimetic escalation. It thus tends to maximum profanity feeding the spiral of violence and the radicalization of evil.*

From the perspective of this study, the entire range of personal and social ills that constitute the "human rights crisis" is attributable to the presence and power of sin and its mimetic escalation in the world. Psychologically these ills are the fruit of ego-protection when faced with the contingencies of life. Deceived by sin, humans attempt to meet their perceived existential neediness acquisitively and possessively. By coveting material and positional goods (modeled as desirable in the eyes of another), they seek to substitute the human for the divine – often violently so – feeding the perpetual vortex of evil. From the seeds of unbelief and anxiety, humanity reaps an explosive harvest of pride, concupiscence, self-justification, and blasphemous cruelty.

Thesis 6: *If the root of human violence is a perverted image of God, only the restoration of the image can bring healing and peace.*

The answer to human violence lies not in an abstract morality but in God's saving activity in the realm of human creation. This activity takes into account the mimetic character of human identity (see Theses 10-14 below).

THE SOCIAL ORDER

Thesis 7: *In the present state of humanity, the scapegoat mechanism rules the social order through the power of death. It is the essential clue to the fallenness of nations and their institutions as well as to the fallenness of individuals in their profound alienation from God, from themselves and from one another.*

The power of the scapegoat mechanism to unify the community and to hide its true origin (the foundational murder) has been permanently subverted by the revelation of God in Jesus Christ. Yet, the mechanism itself still operates as the organizing principle behind the dominance system which rules the world through a series of interlocking sub-systems built on unanimity in opposition to God. Hence, widespread reduction of violence in the world cannot be expected.

To the contrary, owing to the desacralization of culture, the incidence of intra-human violence is likely to increase for several reasons. As collective violence loses efficacy in providing social cohesion, the mechanism needs to function at higher levels of intensity making more violence necessary. At the same time, a corrupt understanding of freedom makes vengeance more readily possible resulting in heightened levels of polarization, fragmentation and violence.

For the first time in human history limitless violence has become feasible through weapons capable of planetary destruction. The present state of humanity heightens the risk of their deployment owing to the relative powerlessness of the social order to keep the mimetic escalation of the acquisition and development of such weapons in check.

Thesis 8: *The social order is to be understood in trinitarian terms and within the context of God's work of creation, preservation and redemption in history. In this light, the social order is good; it is fallen, but can be redeemed.*⁷⁹¹

⁷⁹¹ Adapted from Wink, *Engaging the Powers*, 10.

Christian theology is conscious of the fallenness of human sociality on the basis that humanity is individually and corporately at enmity with God. At the same time, theology recognizes the social order as inherent in creation itself, and thus trinitarian in origin and structure.

Only community makes humane existence possible. God preserves the social order for this purpose. His saving and freedom-granting activity in history is directed toward the preservation and healing of communal life.

God's cultural mandate includes respect for cultural diversity including its development and expression. Since human culture and its institutions are also fallen, institutions of communal life stand in need of being liberated from rivalry. If the interiority of the social order is to be reoriented towards God's purpose, it needs to become energized by a mimesis of pro-existence and self-giving love.⁷⁹²

Thesis 9: *The state is an ambiguous secular entity that belongs to this world. The powers of the state are a temporary expediency relativized by the revelation of Christ as Lord and Savior. Consequently neither the state nor any of its instrumentalities and doctrines can lay claim to ultimacy or to being the means of liberation.*⁷⁹³

The demythologizing effect of Christian revelation has unmasked the state's pretensions to ultimacy as idolatrous, and the notion of redemptive violence as false.

In a fallen world the mandate of the state is resistance to evil. However, throughout history it has shown itself as one of the chief perpetrators of evil, and, on occasion, the very embodiment of demonic powers. Hence the Christian suspicion of the aspirations of the state.

⁷⁹² This must not lead to a reductionist reading along the lines that "if all people became Christians today, the problem of violence would be solved". The preservation of the world is undergirded by God's covenantal promises. Their fulfilment presupposes the presence of a growing community in whom the Spirit of pro-existence and self-giving love is at work. I have argued that if Girard's theory is correct, the institution of human rights cannot extract humanity from the mimetic impulse that leads to violence. This impotence has been further explained by the theological position taken. The latter also pointed to the ultimate (eschatological) hope for a sociality whose interiority will indeed be free from violence.

⁷⁹³ See also Nigel G. Wright, *Disavowing Constantine*, 181.

The Christian notion of the limited state which delegitimizes the imposition by the state of the norms of an established religion renders the state “secular”. It is, nonetheless, recognized as a “servant of God” for the common good (Rom 13:4). It holds the monopoly of force in its territory and is charged with the restraint of chaos and lawlessness by means of the rule of law. This mandate includes the power of “legitimate force” for the purpose of achieving and maintaining a just society. As such, the state is a permissive ordinance of God that points to humanity’s fallen condition.

Yet, even in the age of human rights, the nation state finds a fundamental ethics of social justice elusive. It consequently fails to provide effective protection of human rights. Moreover, mimetic desire produces a social disorder that makes corrective action necessary on the part of those who claim the mandate of legitimate coercive force. To the degree that the influence of globalization causes the state’s efficacy toward its constituents to decline,⁷⁹⁴ the social order moves further in the direction of fragmentation. Consequently, conflicts within states rather than between states are increasing, giving rise to a dilemma for human rights: more frequent outbreaks of “illegitimate” violence will have to be met with more “legitimate” force. Under conditions of fragmentation the state will in the name of peace and security become more coercive which cuts against the notion of human rights and liberties. If the social order is indeed ruled by the sacrificial mechanism that relies on victimage to bring peace and security, the rejection or misrecognition of this phenomenon has serious consequences for the discovery of what drives the present crisis.

DELIVERANCE FROM EVIL

Thesis 10: *The world is both loved and lost. It always tends towards death, but it is the will of God to preserve life.*

⁷⁹⁴ Van Creveld has noted that in comparison with classical Greece where the public domain was first recognized, it enjoyed high esteem. Today the connotation “public” is synonymous with second rate. This applies to education, health services, social security and public administration in general. This decline of state capability is further indicated by the trend toward privatization, by the prevalence of high tax rates despite growing GDP whereby the modern state keeps “demanding more and delivering less” (van Creveld, *Rise and Decline of the State*, 409-411).

God's outgoing goodness manifests in history as acts of self-disclosure and liberation towards his fallen creature. The tension between his goodness and the severity of his judgment signifies the pathos of God which renders such actions "dramatic".

God's universal mission to save the world took specific localized form in history when he acted in the incarnation revealing himself in a particular human being, Jesus of Nazareth. The story unveils Jesus as God's Messiah, the true Lord of the world, who is also the climax of history, the bringer of restoration and justice, and the king of God's peaceable kingdom. Therefore, Christian faith cannot be generalized into mere "religious consciousness".

Christ is the *sole* hermeneutic key through which the drama of salvation becomes intelligible. In the incarnation, God turns to a sin-infested world in a new way. He enters the drama of history in order to take upon himself and absorb the consequences of human rebellion and unbelief. Thus he allows himself to be exposed to humanity's destructive actions directed against him in order to offer forgiveness to all.

The offer of salvation belongs to the realm of God's will. It is "unconditional" in that forgiveness is offered whether the sinner is prepared to accept it or not. To become effective in human life, the offer calls for the surrender of autonomous claims and reconciliation with God.

The drama reveals the Father's way of creating a new community characterized by love, forgiveness, and healing. Through the Spirit's action, the ravages of sin and death are transformed as he gathers around the central figure in the drama – the Son – those who respond to the divine initiative and begin to imitate the new image of God in Jesus Christ.

Thesis 11: *In the drama of salvation the ancient system of retribution and vengeance is breached. The dynamism of forgiveness subverts the scapegoat mechanism inscribed in human experience by "satanic accusation".*

Jesus dies as the ultimate scapegoat. On the cross God meets human mendacity and hostile resentment with unbounded love, revealing humanity's hidden malaise as well as its remedy. By meeting human hostility with abyssal love, the satanic cycle is

breached and the scapegoat mechanism is robbed of its power. When Jesus turns his violent death into a deliberate surrender to the Father, he becomes the Scapegoat and the Lamb of God at the same time.

By unleashing the totality of human violence on him, humanity generated unwittingly the possibility for its own transformation. By making himself a victim of their sin, God turns the victimary symbol of the old order into a form of divine self-communication, thus infiltrating their world to undo it from within.

In the drama of salvation, God allowed for the full out-working of human liberty. If humanity's grasping self-assertion had perverted the image of God, Jesus restored it by following the path of filial obedience and humble conformity to the self-giving love between the Father and the Son.

God reveals in Christ that he acts in history by persuasion and regeneration through the Holy Spirit, not by the imposition of "messianic power" and divine violence. In other words, faith in the triune God has nothing in common with religions that are rooted in the primitive sacred. Christian revelation effectively deconstructs paganism both religious and political.

Divine kenosis and human mimesis are thus dimensions of the "space" where the divine/human drama is being played out and where humanity may participate in the perfect community of God who is "Being-in-love".

Thesis 12: *In the resurrection Jesus re-enters the world of human self-will and violence as the way beyond it.*

In the Easter-event, the Father raised Jesus from the dead. This too was a new action of God towards sinners. Instead of bringing human history to an end in response to the killing of his Son, the Father enables human history to move forward in a new way.

Through the presence of the risen Victim in history untold possibilities for healing and for new beginnings for human sociality open up which have yet to be explored.

The restoration of the “image of God” in individuals and the transformation of human sociality as it appears in the gathering of the “new community” lie beyond the scope of human achievement. They are the work of God who in Christ so radically turned towards sinners that he became what we are so that we might become what he is. It is in the intimacy of faith that the perfection of God’s love relationship toward his creature swallows up the imperfections and waywardness of human relationality.

In the resurrection a new humanity is inaugurated, a humanity restored, forgiven, liberated from guilt and shame, and freed from its own obsessive memory of suffering. This liberation is not achieved by a mere overlooking of the past, but by its transcendence. In the drama of salvation Christ is revealed as *our* victim and our violent ways are transformed as the models and structures that have dominated human consciousness are reconfigured through a life-changing encounter with the crucified, risen and forgiving victim.

Thesis 13: *Jesus’ invitation to imitate him means to imitate not only his desire, but also his mode of imitation.*

Mimetic anthropology holds that human beings cannot imitate God directly. While they are equipped with a capacity for transcendence, they need a model. This characteristic certainly places humanity into a category of its own but also opens the door to conflictive mimesis that seeks to be like God rivalistically. As the line between emulating God as we should and rivaling him (the primordial sin) is very fine, humanity needs a perfect model of human transcendence toward God.⁷⁹⁵ This model was given to humanity in Jesus Christ whose desire was to imitate the Father and resemble him perfectly. Imitating him transforms human mimesis.

In his emulation of the Father Jesus transposed divine attributes from the metaphysical-ontological to the personal-human level. At the divine level, the perfection, sovereignty and omnipotence of the Three *in giving* is eternally matched

⁷⁹⁵ Wandering, *Sündenlehre*; also his “No-one Has Ever Seen God: Problems of Imitating the Invisible God”, in *COV&R Conference 2005* (accessed 15 August 2005); available from <http://www.cla.purdue.edu/academic/engl/conferences/covar/Program/speakers.htm> St. Paul expressed this idea of Christ’s perfection in the Philippian letter in these words: “... not making equality with God a thing to be grasped” (Phil 2:6).

by their perfect ability *in receiving*. In the incarnation, the Son's imitation of the Father at the human level required that the Father's perfection in giving be met by the Son's perfect receptivity and the Father's omnipotence by the Son's total dependence.⁷⁹⁶ In other words, Jesus' imitation of the Father was radically non-rivalistic, and therefore pacific. To make way for the perfect love of God in human experience, Jesus' call to discipleship involves likewise an imitation that knows no rivalry with God or with each other.

Thesis 14: *Christ's victory over the sacred order is worked out in history by faith in response to Christian proclamation and the symbolism of a shared meal.*

The coming into being of the "new humanity" in imitation of the risen Christ is accomplished through the inward effectiveness of divine grace through faith. That Christ's victory encompasses the entire span of human history is made strikingly visible in the invitation to the Last Supper and its symbolism. By inviting his followers to "eat his body" and "drink his blood", Jesus reaches back into the distant past when humans literally consumed their (sacrificial) victims. At the same time, he points forward to an ultimate future when in the messianic age the Passover meal will be transformed into the "marriage supper of the Lamb" (Rev 19:9). Bailie puts it more eloquently: "The sacramental alpha and omega ... is redolent with the most ancient and gruesome of sacrificial images – eating flesh and drinking blood – and graced by allusions to the most glorious of eschatological horizons – the messianic banquet".⁷⁹⁷

When received by faith, divine grace is capable of undoing the structures of a human consciousness with its propensity to making victims as foundational to the old order. The gift of God radically transform these hitherto violent structures according to the image of love-filled fellowship around a meal table, and so realizes communion with the crucified and risen Christ in whom God is revealed. This God-

⁷⁹⁶ Wandinger, "No-one Has Ever Seen God".

⁷⁹⁷ In the abstract of his "From the Sacred to the Sacramental: the Eucharistic *Imitatio* at the Heart of the Historical Drama" in *COV&R 2005 Conference* (accessed 15 August 2005); available from <http://www.cla.purdue.edu/academic/engl/conferences/covar/Program/speakers.htm>

initiated transformation appears in history as the proleptic enfleshment of the divine promise: God, in an eschatological fulfilment, will make his dwelling with human beings where he will be “all in all” (1 Cor 15:28).

THE SUBVERSIVE MEMORY OF THE CHURCH

Thesis 15: *By remembering the Passion of Christ, the church inserts a subversive memory into the world. This memory creates a social and political conscience expressed as concern for the suffering of others.*

Suffering in the Christian sense is not the same as the passive endurance of the sacrificial victim of the mythical order. Jesus, by taking the place of others, revealed the victim’s innocence. At the same time, the memory of his suffering frees and protects political life from totalitarianism. The Christian stance is prophetic in that it anticipates God’s future, and is thus able to oppose idolatrous attempts of social or political ideologies to usurp that place in history which belongs to God alone.

The consciousness of Christ emerges in history because the Holy Spirit “convict[s] the world of sin, of righteousness and of judgment” (Jn 16:8). The Spirit inspires the church to be conformed to Christ, the model of the new humanity. Although the new community possesses no authority, truth or holiness of its own, it has power through the eternal Spirit of the gospel (proclamation and sacrament) to unmask the dark forces that hold humanity captive to the old order. This critical role, however, depends entirely on the community’s humility before God. The church is called to judge its own collusion with sin and violence, lest its calling to be salt and light in the world is diminished. Only a penitent church can authentically testify to the gospel as an explosive force able to give substance to the vision that the new community is also the bearer of a new history with God. At the same time, it must not succumb to the temptation of political and economic ideologies that categorize all suffering as “oppression” which can and should be removed.

Thesis 16: *The memory of the church and its praxis are mimetically linked.*

There is no imitation without memory, and no memory without imitation. In other words, the praxis of mimesis belongs to the knowledge of God in practice. This memory is manifested through a public prophetic stance. This, in turn, puts Christianity on trial if it is to justify its resistance to the old, and its hope for the new. These trials are analogues of the eschatological trial before Christ at the end of time (2 Cor 5:10).

Thesis 17: *The imminent expectation of the kingdom of God and an apocalyptic conception of time belong together.*

The emancipatory logic that underlies the human rights paradigm negates the God of the living and the dead. The God who redeems the past and even calls the dead to account has no place in a world-view that proclaims humanity as the subject of history, and moral evolution as the mechanism of human progress.

Since the coming of the kingdom of God is not the fulfillment of an evolutionary process, but the imminent expectation of a profound discontinuity that points to the “catastrophic nature of time”, it is precisely in this discontinuity that the future loses its evolutionary character “of timeless infinity into which the presence may be projected ... at will”, as Metz points out.⁷⁹⁸

Paradoxically, it is this imminent expectation of the kingdom which offers true hope. This hope thrusts the church into the struggle for an authentic solidarity with the oppressed, the disgraced, the sick and the poor (Mt 25: 31-46). It is a task which, although it has never been a marginal for the church, must feature ever more centrally in its praxis today.

The church must demonstrate (at least in the West) that it is more than the religious superstructure of middle-class society, to a greater or lesser extent complicit with its materialist-consumerist ethos. Given the imminent expectation of the kingdom, what ought to emerge is a church growing into the world-wide solidarity with that underclass to which the vast majority of the world’s population belongs. To the degree the church fails to reflect the non-violent nature of God and to take its

⁷⁹⁸ Metz, *Faith in History and Society*, 176.

place in the spiritual, political and economic struggle for a global community, especially alongside and on behalf of the desperately poor, it ceases to be true to itself. It can no longer sit at the same table with Jesus Christ in his solidarity with the oppressed.

HUMAN RIGHTS – CRISIS AND FUTURE

Thesis 18: *The human rights crisis is neither an accident nor a shortfall in “techniques of implementation,” but reflects the subconscious and collective structures of civilization.*

Mimetic anthropology reveals the ancient mechanism of victimage as the dynamism behind the crisis we have been examining. The unconscious dependence of society on this mechanism for cohesion makes it systemically effective in culture. It is just another name for humanity’s first impulse to conceal its complicity with violence and to project its hostility on others.

The UDHR, which is being celebrated as humanity’s heightened rationality and as the *lingua franca* of moral thought fails to provide immunity against the mimetic impulse. Instead it deceives us about our innate propensity to locate the problem first in others, and that humans simply do not reach unanimity or function in a “spirit of brotherhood”, as the UDHR declares, without a common enemy or “sacrificial victim”. This tragic fact also explains why the pagan ethos of the scapegoat still rules in international politics.

Hence, the peril in which humanity finds itself cannot be overstated. The world is replete with rivalry, rejection, hate, violence and terror which drive it deeper into ruin. Faced with a rising tide of political antagonisms, humanity is in danger of succumbing to unstoppable or “apocalyptic” violence. Economic globalization has much the same effect. It too is driven by the victimary mechanism. Rivalry for competitive advantage is a struggle in which only the stronger, the faster, the more innovative competitor survives. Concern for victims or human rights plays no part.

When this logic is applied to solving social and political conflicts, it may result in temporary subservience, but not in peace simply because it is rooted in the deeply disturbed relationality of resentment and envy.

Thesis 19: *The human rights agenda is paralyzed by the mimetic interplay between the human rights project and the zero-sum model of the dominance system.*

Many of the human rights issues on the international agenda are so systemically entrenched and involve such far reaching international implications that they remain untouched. Some are fraught with vast institutional complexities that member states are reluctant to examine publicly. This reluctance paralyzes the human rights community. Instead of addressing them, member states take refuge in glib propaganda formulas and ritualistic incantations of human rights. A similar paralysis reigns among the NGOs. Some are concerned that, if the debate on critical issues resumes, opponents to human rights will redraw the map and the movement will lose ground.

It is worth noting that this paralysis signals on the one hand the loss of hope that the status quo may be transcended. On the other, it points to the operation of mimeticism as the cause. It is linked to the notion that “human rights are trumps”. As the governing metaphor of NGO activity, the idea of “trumps” locks them into mirroring the zero-sum game of winners and losers from which there is no escape. Because NGOs not only imitate their opponents but one another, this mutual mimeticism is the cause of the homogeneity of NGO tactics and approaches, resulting in wasteful duplication of effort and frozen functional forms. One may prognosticate that in conflict situations, energy will be diverted from aiding victims of oppression to eliminating rivals in the human rights arena.

Thesis 20: *The influence of global capital renders the future of human rights uncertain, possibly bleak.*

Ideologies of economic progress and globalization of a consumer mentality (a symptom of humanity’s insatiable desire for more) produce world-wide conditions that favor the rich and the powerful. This state of affairs prevents the violated from having a real voice, despite the human rights system. As a result, their suffering goes largely unnoticed by the political mainstream. Their unacknowledged anguish, quite apart from the growing institutional decadence of the United Nations Organization itself, undermines confidence in human rights and in the UDHR. As this process of

decay is allowed to continue, the future of human rights becomes increasingly uncertain. One of the contributing factors is the decline of the North-Atlantic civilization as a moral force. How the West copes with its own inner crisis is likely to influence in decisive ways what will become of human rights. What further undermines faith in human rights is the fact that the processes of economic and cultural globalization are allowed to create “abiding communities of misfortune”.⁷⁹⁹ These products of decay are evidence that the human rights system is unable to free itself from the entanglement with the dominance system and the victimage mechanism that drives it. From the perspective of this study, this incapacity renders the future of human rights doubtful, if not bleak. It also demonstrates the theoretical and practical limit for the human rights paradigm to function effectively as a bearer of hope for a truly humane future (see also Thesis 21).

Thesis 21: *The real goal of the nations is revealed as the pursuit of power capable of inflicting limitless death.*

Victims of violence rather than words of pledges and proclamations signify the human condition. From Verdun to Darfur, the killing fields of recent history give bitter testimony that an age of annihilation has dawned, while the magnitude of the underlying hatred motivating it discloses the hollow core of Enlightenment ideals and of theories of “moral progress”.

Many factors characterize the human rights crisis, none more than the mass-violations of human beings, either committed or tolerated by states which have undertaken to protect human rights and comply with international norms.

Yet, what shapes this crisis at its core is the “crisis of desire” itself. It arises when infinite desire meets with the incapacity to bring about its own fulfilment. This crisis gives rise to the nations’ desire for infinite power, the power of inflicting limitless death. This explains why members of the so-called “human family” design, develop, manufacture and otherwise acquire large quantities of weapons capable of eliminating entire populations within minutes, and why the nations are so reluctant to surrender their arsenals of annihilation. Since human rights affirmations are simply

⁷⁹⁹ Baxi, “Voices of Suffering”, 154.

incapable of undoing this “crisis of desire”, preparations for mass destruction are more likely to escalate than diminish in the future.

Thesis 22: *The human rights crisis is significant, serious and subversive, but not without creative possibilities.*

The deep significance of this crisis is related to a crisis of identity. Humanity is faced with its powerlessness to overcome its own violence, so that fundamentals of ‘who we are’ as human beings need to be (re)established.

The crisis is serious because it is a crisis of ultimate meaning. Human desire obeys the law of mimetic escalation. In the present ambiguous state of humanity, this escalation manifests as the desire for limitless power, particularly the power of limitless destruction. Not only the future of human rights but also the future of the entire human race is at stake. If a deepening of the crisis is to be averted, questions of ultimate meaning must be raised with candor and urgency.

The crisis is subversive because the global threats and dynamisms that constitute it call into question the assumption that the human rights paradigm can bear the weight of its own ideals. As it is, human beings as human beings suffer expulsion on a global scale by the forces of domination.

While crises such as the one we have been examining are deeply unsettling, they also contain their own creative possibilities, especially when considered through the lens of mimetic theory and Christian hope: since every rival is also a model who begins to entice our desire for imitation, the more vigorously the world rejects Christ, the more it will be drawn to imitate him.⁸⁰⁰

⁸⁰⁰ John Holdsworth speaks of major crises as “exilic experiences”. See his *Dwelling in a Strange Land: Exile in the Bible and the Church* (Norwich: Canterbury Press, 2003). On this understanding, only if the church allows itself to be profoundly touched and changed by the crisis, will it become a more authentic sign of the kingdom. Perhaps it must experience anew the state of “homelessness” to be spiritually effective in the world.

PEACE AND HOPE

Thesis 23: *Since God launches humanity on a new trajectory with the resurrection of Christ, the Christian story is uniquely able to inject into a world of victimage a new vision of peace and hope.*

I have argued that it is the task of the prophetic stance to evoke an alternative consciousness to the consciousness of the dominance culture. Christian revelation is of a higher order than the scapegoat mechanism which it delegitimizes.⁸⁰¹ When Jesus takes death into his own person, he announced the end of the order of death. The crucifixion of Jesus constitutes the ultimate prophetic critique of the old consciousness of fear and condemnation. But we would miss the character of this stance if it was understood in terms of a heroic defiance. Rather, the crucifixion brings a critique of passion and compassion that renders impotent the old order of power and competition based on human achievement. With the resurrection of the Crucified, God launches humanity on a new trajectory. Its mediator models God's self-giving love as the true object of human desire that is able to swallow up humanity's deepest fears and anxieties (1 Jn 4:18).⁸⁰²

But there can be no peace unless also the cries of those with unresolved forgiveness have been heard. Guilt belongs to the old consciousness, so does unforgiveness. Only the love of God can, when received in faith, undo both. Only the suffering of God in Christ can inspire the massive suffering of brutalized humanity with new meaning. Only the assurance that ultimate forgiveness is available can meet the deepest needs of perpetrators and victims alike.

These privations of the human heart cannot be met by even the most sophisticated human rights system. Confined to the political/judicial order, all it can

⁸⁰¹ Paul writes in Rom 8:2, "For the law of the Spirit of life in Christ Jesus has set you free from the law of sin and death".

⁸⁰² The biblical text reads, "There is no fear in love, but perfect love drives out fear. Fear has to do with punishment and he who fears is not perfected in love". Although in the past the church has often instilled fear in people (qualms of conscience, fear of death and hell), "Christianity in its origin is the religion of overcoming fear," notes Eugen Biser in his article "Only Peace Can Save the World", *Current Concerns* (English Edition of Zeit-Fragen), no. 4 (2002).

offer is to turn human suffering into a tool for political mobilization within the dialectic of resistance and dominance, in the hope of it leading to more comprehensive human rights standards and laws.⁸⁰³

Finally, only Christianity can witness to the healing effect flowing from God's presence and liberating action in history. The Christian story proclaims that, in the midst of its own suffering, humanity may encounter in the crucified and risen Christ the God who is invocable as the Father of all. This God is turned towards humanity, not as a rival but as the source, form and goal of true life. Hence the task of the prophetic stance is to nurture the realization that only the experience of the "Fatherhood of God" can give rise to the "Brotherhood of Man" as a peace-sustaining reality.

EPILOGUE

When the nations entered into covenants with each other to confirm their commitment to human rights, they chose a form of relationality that, in the Judeo-Christian tradition, is freighted with extraordinarily rich meaning.

The term "covenant" is related to the sovereign administration of God's grace towards human beings, and to the security that arises from the fact it is God who establishes it. Hand in hand with the administration of God's grace goes his forbearance. In the Old Testament, the immutable character of the covenantal promises is confirmed by God swearing a self-involving oath of fidelity, while, in the New Testament the new covenant is embodied in Christ himself. Since the blessings

⁸⁰³ Even though I have argued that the human rights paradigm has limits in that it cannot breach the mimetic cycle of violence, it does not mean that it ought to be abolished. Given the present state of humanity, the human rights paradigm is – like the secular state – a "permissive ordinance" of God designed to restrain violence by "deeds of the law". However, when its impotence is reduced to a mere "failure of implementation", the world closes its eyes to the revelatory power of the Gospel which unmasks the myth that humanity is able to live up to its own ideals. Such myth-making keeps the scapegoat mechanism hidden which, according to Girard, drives the diabolical cycle of mimetic violence in the world.

of the covenant are conditioned on perseverance and obedience, maintaining intimate communion with God is indispensable for their realization.⁸⁰⁴

Whether or not the nations were aware of it at the time, when they expressed their intentions in covenantal terms, they created a relational reality of great moment. Indeed, so profound is the bond implicit in such a covenant that the closest human analogy one can think of is that of matrimony.

Some striking parallels come to mind. Like partners in marriage, the nations find themselves on a life-long journey “for better or for worse, for richer, for poorer”. They must prove their commitment to each other in the crises of life. Their existence is deeply reciprocal and as their relationships unfold, they are destined to discover that their future depends, paradoxically, “upon those almost impossible times when it is perfectly clear ... that nothing else but pure sacrificial love can hold them together”.⁸⁰⁵ Finally, breaking the covenant has destructive consequences which may lead to permanent estrangement.

Yet, in the midst of their sometimes arduous struggles, what awaits them is the revelation of a stupendous truth that while under judgment and caught in the schemes they have devised, they are not condemned but loved; that on their journey into the future they need neither be alone nor without hope, for the ever-greater reality of God’s faithful and forbearing love accompanies them, holding together their fractured relations.

Our culture forcefully exemplifies the post-modern version of the doctrine of sin according to which all humans, along with their endeavors and cultural institutions, are radically flawed. Against this background, the Christian story is of particular relevance. It announces that God’s love has come to us in the mystery of the incarnation as “bone of our bone and flesh of our flesh”; that God in Christ comes to us to share our crises, even our death, wooing his resistant creature to desire him above all desiring as the ultimate answer to our entrapment in the diabolical circle of resentment and violence. But his grace is not cheap. He also invites us to

⁸⁰⁴ F. F. Bruce, “Covenant”, in *The New Bible Dictionary*, ed. J.D. Douglas (Leicester, England: Intervarsity Press, 1962), 264-69.

⁸⁰⁵ Mike Mason, *The Mystery of Marriage* (Sisters, Oreg.: Multnomah Press, 1985), 28.

identify with the sorrows of the world in a way so profound that only communion with him will sustain us as he invites us to bear the cross without bitterness and revenge. Those who have experienced his love in truth are willing to abandon themselves to this love as their new desire begins to “imitate” his. By his Spirit they know themselves empowered to proclaim healing to a world that is discovering its fallenness. Moreover, they live out of a new hope that God, when he consummates his work of grace, will do for them what he has done proleptically in Jesus Christ when he raised him from the dead. In the midst of the crisis they retell this unique story of divine love, which, in the biblical metaphor, is the story of a bridegroom who will not cease loving his estranged “bride” until every resistance to their union melts away in the presence of his love. Already now, her beatitude is a mimesis that is not her own, conforming her to the same love in all its divine intimacy and joy of eternal self-giving.

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APPENDIX 1

UNIVERSAL DECLARATION OF HUMAN RIGHTS

PREAMBLE

WHEREAS recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.

WHEREAS disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people.

WHEREAS it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law.

WHEREAS it is essential to promote the development of friendly relations between nations.

WHEREAS the peoples of the United Nations have in the charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social programs and better standards of life in larger freedom.

WHEREAS member states have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms.

WHEREAS a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge.

NOW, THEREFORE, THE GENERAL ASSEMBLY PROCLAIMS

This Universal Declaration of Human Rights as a common standard of achievement for all peoples and nations, to the end that every individual and every organ of society, keeping this declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure the universal and effective recognition and observance, both among the peoples of member states themselves and among the peoples of territories under the jurisdiction.

ARTICLE 1.

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act toward one another but in a spirit of brotherhood.

ARTICLE 2.

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, race, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

ARTICLE 3.

Everyone has the right to life, liberty and security of person.

ARTICLE 4.

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

ARTICLE 5.

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

ARTICLE 6.

Everyone has the right to recognition everywhere as a person before the law.

ARTICLE 7.

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this and against any incitement to such discrimination.

ARTICLE 8.

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

ARTICLE 9.

No one shall be subjected to arbitrary arrest, detention or exile.

ARTICLE 10.

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

ARTICLE 11.

(1) Everyone charged with the penal offense has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defense.

(2) No one shall be held guilty of any penal offense or of any act or omission which did not constitute penal offense, on a national or international law, at the time when it was committed. Nor shall any heavier penalty be imposed than the one that was applicable at the time the penal offense was committed.

ARTICLE 12.

No one shall be subject to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

ARTICLE 13.

(1) Everyone has the right to freedom of movement and residence within the borders of each state.

(2) Everyone has the right to leave any country, including his own, and to return to his country.

ARTICLE 14.

(1) Everyone has the right to seek and to enjoy in other countries asylum for protection.

(2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

ARTICLE 15.

(1) Everyone has a right to a nationality.

(2) No one shall be arbitrarily deprived of his nationality or denied the right to change his nationality.

ARTICLE 16.

(1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and have found a family. They are entitled to equal rights as to marriage, during marriage, and at its dissolution.

(2) Marriage shall be entered into only with the free and full consent of the intending spouses.

(3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the state.

ARTICLE 17.

(1) Everyone has a right to own property alone as well as in association with others.

(2) No one shall be arbitrarily deprived of this property.

ARTICLE 18.

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion of belief in teaching, practice, worship, and observance.

ARTICLE 19.

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

ARTICLE 20.

(1) Everyone has the right to freedom of peaceful assembly and association.

(2) No one may be compelled to belong to an association.

ARTICLE 21.

(1) Everyone has the right to take part in the government of this country, directly or through freely chosen representatives.

(2) Everyone has the right to equal access to public service and his country.

(3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

ARTICLE 22.

Everyone, as a member of society, has a right to social security and is entitled to realization, through a national effort and international corporation and in accordance with the organization and resources of each State, of the economic social and cultural rights indispensable for his dignity and if redevelopment of his personality.

ARTICLE 23.

(1) Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment.

(2) Everyone, without any discrimination, has the right to equal pay for equal work.

(3) Everyone has the right to form and to join trade unions for the protection of his interests.

ARTICLE 24.

Everyone has the right to rest and leisure, including reasonable limitations of working hours and periodic holidays with pay.

ARTICLE 25.

(1) Everyone has the right to a standard of living adequate for the health and well being of himself and his family, including food, clothing, housing, and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

(2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

ARTICLE 26.

(1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental states. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

(3) Parents shall have a prior right to choose the kind of education that shall be given to the children.

ARTICLE 27.

(1) Everyone has the right freely to participate in the cultural life of the community, and to enjoy the arts and to share in scientific advancement and its benefits.

(2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

ARTICLE 28.

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this declaration can be fully realized.

ARTICLE 29.

(1) Everyone has duties to the community in which alone the free and full development of his personality is possible.

(2) In the exercise of his rights and freedoms, everyone shall be the subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

(3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

ARTICLE 30.

Nothing in this declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any acts aimed at the destruction of any of the rights and freedoms set forth herein.

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APPENDIX 2

GLOSSARY OF GIRARDIAN TERMS⁸⁰⁶

Difference: Distinction arising from victimage, the “they” and “us” syndrome, which could have been originally a mere gesture or sign. All other distinctions (language, roles, cultural institutions and rules) have their origin in this first victimary distinction.

Double Bind: This term relates to the experience of conflict or paradox when mimesis is blocked by prohibition (“imitate me in this but not in that”). The same experience arises when the desire of two subjects converges upon the same object and the mimetic process turns the mediator/model into a rival. This is also referred to as Mimetic Double (see also *Mimesis* and *Model*).

Culture: All structures and arrangements as well as the common ideas and rules, which allow people to live together without being consumed by chaos, violence and random killing. It is the result of the functioning of the non-conscious mechanism of scapegoating that actually maintains the system.

Mimesis: Synonymous with mimetic desire, i.e. the non-conscious imitation of others, which in mimetic theory always carries the connotation of “acquisitive” or “appropriative”. As a “dynamic enabling” that allows human beings to open themselves up to the world and engage in loving relationships, mimesis is not inherently destructive. Mimetic desire is mediated desire. The desirability of an object is not vested in the object but in the model that desires it. It is the function of culture to regulate the potential conflict between rivals who desire the same object. Since human beings are constituted as “interdividuals”, they live from the reality of the model or mediator. This involves them in the mimetic paradox where they

⁸⁰⁶ Adapted from Williams, *Girard Reader*, 289-294.

become so fascinated with the model that they desire its very being, which results in the experience of the *mimetic double*. It occurs when the other becomes either an obstacle that needs to be eliminated or so internalized that the distinction between the self and the other is no longer experienced. The possibilities range from murder and schizophrenia to conversion through love and forgiveness. In the latter case, Girard speaks of “good mimesis”.

Model/Mediator: Whatever or whoever we are in a mimetic relationship with. It may be an individual, a group, cultural assumptions or settings with which we resonate. The model mediates reality for us and we are constituted by the model such that the self is a set of past and present mimetic relations. If the model is a person (authority figure, parent, or an important peer) the model and the one imitating are also potentially rivals. At the same time, every rival may be also a model who begins to entice our desire for imitation.

Religion: The cultic expression of mimetic desire, which in archaic societies regulates its rivalistic form through ritual prohibition and sacral violence associated with sacrifice; a mechanism for preserving order by protecting society from destructive mimetic crises.

Sacrifice: Originally the cultic immolation of humans or animals (as substitutes for humans) during religious victimization. In the negative sense sacrifice means scapegoating, in the positive sense understood as costly and loving self-giving as in the case of Christ.

Scapegoating: The mechanism by which societies obtain unanimity and/or surrogate peace or release from mimetic violence through the killing of an arbitrarily chosen victim. It involves always the non-conscious convergence upon the victim as an object of collective “wrath”, retaliation or vengeance.

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