

CHAPTER II

Politics, Violence and the State... Exploring Different Conceptual Nuances

*We live amid escalating worldwide destruction and war.
How do we make sense of it?¹*

*The political promise of freedom is quite literally found
in the ability to initiate new beginnings and find
new political spaces.²*

I have previously established that violence is a concept that is far from straightforward and yet it rarely receives a great deal of intellectual probity *as a concept*. This chapter attempts to provide a little more careful thought and intellectual examination of the concept of violence than is usually given, and in doing so attempts to give it a set of deeper nuances that not only reflect the complexities of violence in a globalized world, but also indicate potential modes of controlling that violence better when it does emerge. To begin, it is important to return to the roots of violence, to understand the essence and significance of violence, and where it stands in reference to power, the state, domination and its connection to the public realm and legitimacy.

In this chapter I examine violence from two different but complementary sides. First I explain what the public realm and the political signify for Hannah Arendt, since both are crucial to understanding her views on violence. Second, I define the concept of violence according to Hannah Arendt's political thought.

Arendt is worthy of attention in this dissertation because she took the trouble to contrast one concept with its cognates. In so doing, she really did give a much clearer view of what a concept could mean vis-à-vis its relatives which are similar, yet—as she clearly points out—*not*

¹ Hannah Arendt, *On Violence* (San Diego: Harcourt and Brace & Company, 1970).

² Patricia Owens, *Between War and Politics: International Relations and the Thought of Hannah Arendt* (Oxford: Oxford University Press, 2007), 17.

equivalent (hence the significance of violence *within* the wholeness). In making these distinctions, Arendt reinforced the importance of understanding the relations between related concepts, without engaging in a process of elision (or equivalence) where the elements of more than one concept (e.g., violence, force, and power are related but definitely not the same things or public, social and private, or thinking, willing and judging) are fused, or confused, together.

In addition to her compelling distinction between concepts, I analyze Arendt's claim of violence never being legitimate. This argument naturally links to Weber's conception of the state because it would oppose Weber's monopoly of 'legitimate violence.' For Arendt, such a monopoly would not be accurate. Then I refer to violence and the state and contest the concept of the state's monopoly of legitimate use of violence by analyzing state violence (against non combatants) and using Arendt's treatise.

I critique Weber's legitimation of domination, and argue that these models of legitimation are currently inaccurate, thus the base for the state's monopoly of legitimate violence is now a mere illusion. Instead, I find Locke's explanation of legitimacy more adequate. While Locke was not particularly concerned with violence in itself, the way in which he understood legitimacy is important to reinforce Arendt's distinction between violence and power. I show his further explanation of legitimacy under different criteria better defines the connection between violence and the state.

But first, to understand why Arendt thought violence was not political and shaped her definition around this distinction, a brief foray into her conception of the public, political realm—that is, the realm in which we could not expect to find violence—is in order.

2.1 *The Public Realm and the Political*

Hannah Arendt is a writer who arouses strong feelings in her readers. To some she is a brilliant original thinker who has revealed essential features of politics.³ “Whereas others [as Canovan points out] have seen her as deplorable.”⁴ Such a vision describes well the way in which Arendt’s position is taken in International Relations debates.⁵ Under such views, it is therefore pertinent to question ourselves *why Arendt matters?*⁶ Or more specifically, why is Arendt important for International Relations theories? Although, Hannah Arendt has had a less significant impact on International Relations theory as a whole⁷ until the last few years, she has contributed significantly to the debate on questions of the limits of politics, violence, and the different phenomena surrounding inter-action. She offers a different way of thinking that avoids predetermined or superficial conclusions.

‘The political’ or ‘politics’ as concepts have often been understood as, and just as often equated with, ‘government,’ ‘rule,’ and/or ‘various kinds of leadership.’ For Max Weber, one of the most central sociologists to have a huge influence on IR theory, ‘politics’ signifies broadly

³ See e.g., Jürgen Habermas, “Hannah Arendt: On the Concept of Power,” in *Philosophical-Political Profiles*. (London, Heinemann, 1983). Bhikhu Parekh: *Hannah Arendt & The Search for a New Political Philosophy*. (London & Basingstoke: Macmillan Press, 1981). Maurizio Passerin d’Entrèves, *The Political Philosophy of Hannah Arendt* (London: Routledge, 1994). Sandra K. Hinchman, Lewis P. Hinchman eds., *Hannah Arendt Critical Essays* (New York: SUNY Press, 1994). Margaret Canovan, *Hannah Arendt: A Reinterpretation of her Political Thought* (Cambridge: Cambridge University Press, 1994). John Williams and Anthony F. Lang eds., *Hannah Arendt and International Relations: Reading across the Lines* (New York: Palgrave Macmillan, 2008), 22.

Patricia Owens, *Between War and Politics: International Relations and the Thought of Hannah Arendt* (Oxford, Oxford University Press, 2007).

⁴ Though Canovan is not, of course, one of these negative commentators. See Margaret Canovan, “Arendt, Rousseau and Human Plurality in Politics,” *The Journal of Politics* 45, no. 2 (May, 1983): 286. Feminist theorists have criticized Arendt’s division of the public and the private realm because for Arendt the household is part of the private, feminist conceive this as a source of oppression.

⁵ Although in the last few years the relevance of Arendt’s ideas to IR is becoming more recognized. See, e.g., John Williams and Anthony F. Lang eds., *Hannah Arendt and International Relations: Readings Across the Lines* (New York: Palgrave Macmillan, 2005), and Patricia Owens, *Between War and Politics: International Relations and the Thought of Hannah Arendt* (Oxford: Oxford University Press, 2007).

⁶ Elizabeth Young-Bruehl, *Why Arendt Matters?* (New Haven, CT: Yale University Press, 2006)

⁷ Williams and Lang Jr. argue that only a tiny number of pieces using Arendt have appeared in International Relations in recent years. See their “Introduction,” in *Hannah Arendt and International Relations*, 22. Moreover, her thought has not been considered in depth in any of the different schools of International Relations.

any kind of independent leadership in action.⁸ He refers to politics as “the leadership, or the influencing of the leadership, of a *political* association, hence today, of a *state*.”⁹ And, of course, Weber’s famous definition of a state includes the idea of a “monopoly of violence.”¹⁰ A different approach to the significance of politics is given by Charles Tilly who speaks of contentious politics “by noticing when governments—more generally individuals or organizations that control concentrated means of coercion—become parties to discontinuous, public collective claims.”¹¹ Tilly thus understands politics and violence as part of the same domain or as concepts that can be associated without further explanation, since its linkage may appear obvious or natural. A third is the *Concept of the Political* from Carl Schmitt. Schmitt understood politics as an enemy-friend distinction in which, whenever the relation is lost, it would mean politics’ end.¹² Whenever the possibility of conflict disappeared, politics ended, not the other way around. In Schmitt’s words, “opposition or antagonism represents the most intense and extreme of all oppositions, the more extreme any concrete antagonism is, will bring us closer to reaching the political, and this is to the distinction between friend and enemy.”¹³

These three different conceptions of politics show us how many inconsistencies exist in its conceptualization in social sciences—inconsistencies that can lead ideas and arguments in very different directions. IR theory, in particular, has not always been deeply concerned with teasing out the differences and even contradictions that stem from such divergent understandings of these concepts. Arendt, on the other hand, draws with much attention to detail a very different conception of politics, where politics is not equated to government, leadership or enmity.

⁸ Max Weber, “Politics as a Vocation,” in *From Max Weber: Essays in Sociology*, eds. H.H. Gerth and C. Wright Mills (London: Routledge, 1991), 77.

⁹ Weber, “Politics as a Vocation”, 77.

¹⁰ Weber, “Politics as a Vocation”, 78.

¹¹ Charles Tilly, *the Politics of Collective Violence* (New York: Cambridge University Press, 2003), 26.

¹² Owens, *Between War and Politics*, 29.

¹³ Carl Schmitt, *El Concepto de lo Politico* (Madrid: Alianza Editorial, 1999), 59 [my translation].

To draw this very detailed picture of what politics is and what it is not, Arendt distinguished three realms: “the private; the public-political, which is the civil realm where all citizens have equal rights; and the “social,” where people may freely come together with or exclude whomever they wish.”¹⁴ The public-political realm is the realm I focus on here *because it is where politics take place and it is what violence, for Arendt, destroys*. The emphasis on the public-political realm is important to IR theories since we are engaged with the study of politics and its actors and it is therefore important to be aware of the base of the broad concept of politics. Furthermore the public realm is important to IR theories because today there is a reinvention of how it was traditionally conceived. In a more concrete way, private actors are engaged in the public realm, and the state, traditionally (public) is inserting itself in the private domain. These events ought to be considered in IR theories because they represent the new world order and how politics are today conceived. McAuley identified the “distinction between the public and private, and the blurring between them, has become an increasing concern for those who seek to question the distributions of power, authority and advantage,”¹⁵ and, thus, IR scholars.

Arendt, contrary to other scholars, traces the political back to its Classical Greek heritage. The *vita activa* she understands as a “life devoted to public-political.”¹⁶ For her the most significant concepts present in the public-political are ‘plurality’ and ‘action.’ As Margaret Canovan has argued that, “Arendt stressed the importance of a common public within which plural citizens can be contained.”¹⁷ In Arendt’s words, action

corresponds to the human condition of plurality, to the fact that men, not Man, live on the earth and inhabit the world [...] plurality is the condition of human action because we are all the same,

¹⁴ Martin Greenberg, “Concerning Hannah Arendt: She knew she was right,” *The Yale Review* 95, no. 1 (January, 2007): 27.

¹⁵ James W. McAuley, *An Introduction to Politics, State and Society* (London: SAGE, 2003), 13.

¹⁶ Hannah Arendt, *The Human Condition* (Chicago: University of Chicago Press, 1959), 12.

¹⁷ Margaret Canovan, “Arendt, Rousseau and Human Plurality in Politics,” 286.

that is human in such a way that nobody is ever the same as anyone else who ever lived, lives or will live.¹⁸

The concept of plurality is thus important for IR theories since it is related to equality, freedom and tolerance—all crucial pillars of democracies and legitimate regimes. It is in the public realm thus conceived that human action can be best performed. “Of all activities necessary and present in human communities, only two were deemed to be political and to constitute what Aristotle called *bios politkos*, namely action (*praxis*) and speech (*lexis*).”¹⁹ The public realm is therefore the space where humans perform in freedom between and in equality with, a plurality of other humans. It is where decisions are arrived at *in concert* (*praxis* action—which is not just any action, but one that Arendt contrasts with ‘making’ or ‘fabrication’ (*poiesis*)—requires plurality) through the discussions and deliberations of peers over matters of *common* concern to them. In a very significant sense, *no-one* (i.e., no one person) rules or is ruled in such an environment, as a consequence there is no space in the public realm for domination.

In seeking for the deeper nuances that lie in the concept of violence, the obvious question to be asked at this stage is what is the connection between the public realm and violence in Arendt’s work? Is violence part of the public realm? “Politics is [often] identified with violence.”²⁰ But, for Arendt, violence was part of a very different domain. In her words, “speech and action were considered to be coeval and coequal; this originally meant not only the most political action, in so far as it remains outside the sphere of violence.”²¹ Especially in *The Human Condition*, Arendt makes a compelling argument that the public realm and politics are about possessing freedom of action, freedom to interact among equals, and freedom of speech. She defines violence as the very contrary of this: “[o]nly sheer violence is mute, and for this reason

¹⁸ Arendt, *The Human Condition*, 7.

¹⁹ Arendt, *The Human Condition*, 24-25.

²⁰ Elizabeth Frazer and Kimberly Hutchings, “On Politics and Violence: Arendt contra Fanon,” *Contemporary Political Theory* 7, no.1 (February 2008): 93.

²¹ Arendt, *The Human Condition*, 26.

violence alone can never be great.”²² John Keane argued similarly to Arendt when he claimed “that violence obstructs subjects’ bodily motion. It *silences* them as well.”²³ Since violence tends to destroy freedom and speech, violence cannot be a political action. In other words: “to be political, to live in *polis*, meant that everything was decided through words and persuasion and not through force and violence.”²⁴

Rather, violence stands at the limit of politics. An explanation of this claim is found in the theory of the partisans. In an Arendtian understanding, Owens claimed that “the partisans or ‘challengers’ are distinct from the regulars [militaries].”²⁵ Because, in Arendt’s words, “without knowing or even noting it, they had begun to create that public space between themselves where freedom could appear.”²⁶ For Owens, what can be derived from all this is that violence stands at the limit of politics, for when freedom is not a permanent condition in the public realm or it is challenged, it is the obligation of citizens to avert this situation, even by violent means (although preferably not). This should not be understood as a glorification of violence, however.

2.2 Arendt’s Treatise *On Violence*

Arendt’s understanding of violence introduces a deeper explanation of the concept, taking us further from the classic and currently accepted definition(s) of violence as any social, economic, moral and political violation of the basic human rights of the person.²⁷ She also does not consider violence the continuation of politics by other means, as it is so often understood in the study of

²² Arendt, *The Human Condition* 26.

²³ John Keane, *Violence and Democracy* (Cambridge: Cambridge University Press, 2004), 37 [emphasis by the author].

²⁴ Hannah Arendt, *The Human Condition*, 26.

²⁵ Patricia Owens, *Between War and Politics*, 18.

²⁶ Hannah Arendt, *Between Past and Future: Eight Exercises in Political Thought* (New York: Viking, 1969), 4.

²⁷ Peter J. Riga, "Violence: A Christian Perspective," *Philosophy East and West*, 1S (April 1969), 145.

international relations.²⁸ Quite the contrary, since on the Arendtian understanding, violence is *never* a political action, violence is not the continuation of politics but its destruction.

Arendt's definition of violence arises from a problem she encountered in the literature. Arendt recognized the difficulty in conceptualizing and understanding violence in the following way.

No one engaged in thought about history and politics can remain unaware of the enormous role of violence has always played in human affairs, and it is at first glance rather surprising that violence has been singled out seldom from special consideration [...] violence and its arbitrariness were taken for granted and therefore neglected; no one questions or examines what is obvious to all.²⁹

The ubiquity of violence is obvious to most of us. Nevertheless the commonplace, and taking things for granted (which, if we are honest, we do all too often), are what Arendt wants to avoid at all costs. To define violence in an Arendtian sense we need to go step by step, since she builds a complex, yet clear definition of violence. Although IR scholars are most concerned with political violence, there are clearly other forms that cannot be ignored when conceptualizing violence in a way that is useful to the globalized world of the twenty-first century. Given that Arendt pays attention to both structural and behavioural violence, her conception of violence is strong enough to incorporate forms of violence traditionally thought of as nonpolitical (such as domestic violence, for example) without becoming vague or too over generalized. In fact, it is precisely because she devoted significant thought to different forms of violence when conceptualizing it that her view of violence is so rich and nuanced.

Arendt's view of violence is not altogether removed from the ideas of others in the field in terms of the distinctions she makes. John Galtung provides perhaps the clearest view of the distinctions between structural and behavioural violence.

²⁸ Carl von Clausewitz, *On War*, trans. O. J. Matthijs Jolles (Washington DC.: Infantry Journal Press, 1950).

²⁹ Arendt, *On Violence*, 8.

First, violence can be psychological as well as physical. Second, violence may be contained within rewards and not simply punishments. Third, violence exists even though someone is not hurt. Fourth, violence is present even when there is no subject-to-object relationship- no overt and distinguishable goal incompatibility in other words. Fifth, violence emerges from non-violent intention and is therefore included in conflictive attitudes despite the absence of a self proclaimed intention to harm. Sixth, violence is latent as well as manifest.³⁰

Arendt's view of violence can be linked to physical and psychological violence. However it is important to not be misled by the term "behavioural violence" and equate it to aggression, fear or rage, which Arendt believes is "pathological and irrational."³¹ By behavioural violence Galtung was referring in concrete terms to physical violence or violence as violation. Being clear on this aspect it is possible to move forward with power and the practice of violence.

The practice of violence and its complexity has fascinated many and it has been argued that it "binds men together as a whole, since each individual forms a violent link in the great chain"³²—a view that would not be out of place in a Carl Schmitt book. However, this bond that is formed should not be confused with power, and as Arendt argued, this sort of brotherhood has "misled many good people into the hope that a new community together with a 'new man,' will arise out of it."³³ The brotherhood or relations based on the means of violence are strong at the time of formation, since it is usually built under an ideological process, but as ideology is questioned, the bonds become rather weak. Therefore a new man, a new community or power, cannot emanate from what was built on violence. Violence has inspired many and Frantz Fanon's claim that "only violence pays"³⁴ has been used as a rather customary justification for resorting to violence, especially in 'revolutions', 'civil wars' and terrorism having the belief that only with violence, can the state be challenged. Arendt recognized all these problems concerning the beliefs of violence, which were not usually covered in the literature.

³⁰ John Galtung, "Violence, Peace, and Peace Research," *Journal of Peace Research* 6 (1969).

³¹ Arendt, *On Violence*, 63.

³² Frantz Fanon, *The Wretched of the Earth*, (New York: Grove Press Edition, 1968), 85.

³³ Arendt, *On Violence*, 69

³⁴ Fanon, *The Wretched of the Earth*, 61.

The importance of Arendt's view of violence is that by making the distinction between violence and power she covers more than political and behavioural violence and she tries to break with commonplace understandings of violence that often take its nature and/or motivations (or at least its forms of expression) for granted. It is precisely the distinction between power and violence that differentiates her theory from most, if not all, others on the subject. It is not my intention here to provide a broad description of the concept of power, especially since "its elusive and amorphous nature makes it difficult to delineate the exact boundaries of violence with regard to other concepts such as power."³⁵ Even if this were not the case, a decent exploration of this concept would take far longer than the space I have here. My purpose is instead, and following what I think Arendt hoped her students would try to do, to look at power in relation to violence and politics without equating them and aiming to unpack the closest, most useful definition of it as possible. In doing so, I hope to show how Arendt's strategy of defining concepts by distinguishing them from other closely related concepts can illuminate and enrich our understanding of each concept discussed.

For Arendt, violence stands in opposition to power. It has often been considered that power and violence are two concepts that in practice are highly interrelated. Frazer and Hutchings identify "a tradition of thinking in which political power is the power to dominate."³⁶ Machiavelli, they identified, is part of this tradition. He argued that "a successful prince must be willing to use violence judiciously."³⁷ In Arendt's words "nothing is more common than the combination of violence and power."³⁸ Moreover, she argued that "there exists a consensus among political theorists from Left to Right to the effect that violence is nothing more than the most flagrant

³⁵ Harald Wydra, "The Recurrence of Violence," *Sociology Compass* 2, no.1 (2008): 2.

³⁶ Frazer and Hutchings, "On Politics and Violence: Arendt contra Fanon," 91.

³⁷ Niccolò Machiavelli, *The Prince* (Harmondsworth: Penguin, 1960), 95-98.

³⁸ Arendt, *On Violence*, 46-47.

manifestation of power.”³⁹ Or in Mao Tse-tung’s famous words “political power grows out of the barrel of a gun.”⁴⁰ It can therefore follow that power and violence have been linked through the existence of domination and obedience. At first sight it may appear as a tempting thought. This claim can be better explained by showing the connection with violence and the state, which I will cover later in this chapter. However, if power and violence are thoughtfully distinguished, it is not difficult to comprehend that both are concepts that are quite different. This important distinction is where, in my view, Arendt’s clear, distinctive and compelling understanding of violence that, if it were taken seriously, could be so useful to international relations scholars begins.

Why is violence the absence of power? Or how is it possible to make sense of it? Power, Arendt explains, “[c]orresponds to the human ability not just to act but to act in concert. Power is never the property of an individual; it belongs to a group and remains in existence only so long as the group keeps together.”⁴¹ Power, like Arendt’s view of politics, thus depends on numbers and cannot occur without plurality. Power is not a quality in an individual and it is not the capacity of one person to make another act in a certain way. Power, for her, is always related to groups of individuals. In this sense, power needs legitimation, derived by a group consensus, an important point that will be explained in detail shortly. Power in the Arendtian sense is the absolute expression of collective will. Again, Arendt is not out there on her own in conceptualizing power this way (although it is clear that she is nowhere near in a majority!). Thomas Bottomore, for instance, understands power in a similar way to this

by power is meant the ability of an individual or a social group to pursue a course of action (to make implement decisions, and more broadly to determine the agenda for decision making) if necessary against the interests and even against the opposition, of other individuals or groups.⁴²

³⁹ Arendt, *On Violence*, 35.

⁴⁰ Tse-Tung Mao, *Selected Works of Mao Tse-Tung* (Beijing: Foreign Languages Press 2, 1965)

⁴¹ Arendt, *On Violence*, 44.

⁴² Thomas B. Bottomore, *Political Sociology* (London: Pluto Press, 1979), 8.

Power can as well be regarded as “something deeply embedded in social relationships; something that is mobilized and mediated through individuals’ or group’s political position.”⁴³ Michel Foucault’s views on power can be contrasted with Arendt’s. Foucault claimed that “individuals are the vehicles of power, not its point of application.”⁴⁴ In this manner we can approach the concept of power as it is related to politics. Since Arendt argued the public-political realm is a place of freedom of action and of speech, when individuals share the same action and persuasion for some common purpose, they are exercising power at its closest meaning: *acting in concert*. In brief, power and politics are two concepts that can rather easily coexist in an Arendtian world, since power can be best performed in a space of freedom, action and speech. Violence, on the contrary, does not depend on numbers, plurality, freedom, or consensus; violence “up to a point can manage without them because it relies on implements.”⁴⁵ Therefore violence in relation to power and politics “is distinguished by its instrumental character.”⁴⁶ It is a means to an end, not an end in itself. And since violence is a phenomenon which is usually condemned,⁴⁷ it “always stands in need of guidance and justification by something else.”⁴⁸ As we have seen George W. Bush and his government do continually over the War on Terrorism, for example.⁴⁹ Arendt continues that “what needs justification by something else cannot be the essence of anything.”⁵⁰ Power does not need guidance or justification, power emerges naturally, power is an end. This point has been contested by Vittorio Bufacchi, arguing that it is puzzling to

⁴³ McAuley, *An Introduction to Politics, State & Society*, 11.

⁴⁴ Michel Foucault, *Power/ Knowledge Interviews and Other Writings 1972-1977* ed., Colin Gordon (New York: Pantheon Books, 1980), 98.

⁴⁵ Arendt, *On Violence*, 42.

⁴⁶ Arendt, *On Violence*, 46.

⁴⁷ There are however some examples of people who glorified violence. See for example Sorel, Fanon, Sartre, or Schmitt.

⁴⁸ Arendt, *On Violence*, 46.

⁴⁹ See Emma R. Norman, “Justice and Justification in the War on Terrorism,” paper presented at the VII Congress of the Americas, November 8-11, 2006, Puebla, México.

⁵⁰ Arendt, *On Violence*, 51.

think that power is an end itself.⁵¹ Bufacchi cites Barry to point out that “the desire for power as an end in itself, perhaps because it is intrinsically gratifying.”⁵² Power, as Arendt understands it, is not about gratification, or a price that was earned. Power in the Arendtian sense it is about a collective capacity⁵³ to act in concert with equals in the plural. It is an end in itself because it is an absolute, “power, far from being the means to an end, is actually the very condition enabling a group of people to think an act in terms of the means-ends category.”⁵⁴ In traditional conceptions of power, this claim might look puzzling, but if we think more carefully about what it is, how it is used and for what reasons and ends, it in fact takes us to a meaningful explanation of power.

Violence can certainly destroy power or, more specifically, the source of power (numbers), and plurality within public-political space, because the instruments of violence allow the physical and moral destruction of numbers (people). However, from violence power can never emerge. Although power and violence are not the same, they may often appear together, “nothing is more common than the combination of violence and power, nothing less frequent than to find them in their pure and therefore extreme form. From this does not follow that authority, power and violence are all the same.”⁵⁵

But violence cannot only be defined by its opposition to power, or differentiation with strength and force.⁵⁶ Arendt argued that “violence can be justifiable, but it will never be legitimate,”⁵⁷ since “legitimacy, when challenged, bases itself on an appeal to the past, while justification relates to an end that lies in the future.”⁵⁸ Arendt’s argument may look perplexing,

⁵¹ Vittorio Bufacchi, “Two Concepts of Violence,” *Political Studies Review* 3, (2005):200.

⁵² Brian Barry, “Is It Better to be Powerful or Lucky?,” in *Democracy, Power and Justice: Essays in Political Theory* (Oxford: Clarendon, 1989), 270–302.

⁵³ Owens, *Between War and Politics*, 15.

⁵⁴ Arendt, *On Violence*, 51.

⁵⁵ Arendt, *On Violence*, 47.

⁵⁶ Strength for Arendt is an individual quality, Force is an energy released such as “*la force des choses*.”

⁵⁷ Arendt, *On Violence*, 52.

⁵⁸ Arendt, *On Violence*, 52.

debatable, and rather weak. Notwithstanding this, Arendt provides one clear example of the distinction that clarifies her point a little. For her resorting to justification is allowed only as an immediate reaction, i.e. self defense.⁵⁹ Legitimacy, on the contrary, is derived from an act of the past, not future reactions, i.e. power needs legitimacy, this legitimacy is derived from the initial getting together to act in concert.⁶⁰ The vague explanation for these distinctions is one clear flaw in Arendt's work. Yet her argument on why violence can never be legitimate makes more sense once Weber's methods of legitimation and Locke's concept legitimacy are taken into consideration in a later section of this chapter. Nevertheless, with a tangible approach of the state and violence, legitimacy can also be explained.

The concepts of violence and legitimacy in Arendtian thought can, perhaps, be best illustrated by referring to the state and its use of violence, as has been argued whenever the state or its legitimacy is challenged; violence is a common, yet rarely an initial, response.⁶¹ Furthermore, violence—if used by individuals or human associations—is considered illegitimate, however if the state resort to violence, it is allegedly legitimate since it possesses the monopoly of legitimate violence. For Arendt, though, there is no such a thing as 'legitimate violence.'

2.3 Violence and the State

The correlation between violence and the state is ubiquitous and therefore of prime importance to the study of international relations as well as many other fields. It has been argued by some scholars that in order to consolidate as a nation-state, some states need to make use of violence.

It is shown that instead of indicating political decay, violence in these states is an integral part of the process of accumulation of power by the national state. To the degree that this power

⁵⁹ Arendt, *On Violence*, 52.

⁶⁰ Arendt, *On Violence*, 52.

⁶¹ McAuley, *An Introduction to Politics State and Society*, 155.

accumulation is necessary for the imposition or maintenance of order, collective violence also indicates movement towards political order on a new scale.⁶²

The point is hardly new. Trotsky at Brest Litovsk claimed that “every state is founded on force.”⁶³ Or in Marx’s words “violence is the midwife of every old society pregnant with a new one”⁶⁴ Although this definition was visible in the construction of many current mature democracies, it is still contestable since there are cases of states who accumulate ‘power’ by other means, by legitimate means.

In most mainstream IR discussions the relation between the state and violence is famously settled in Weber’s definition: “a state is a human community that (successfully) claims the *monopoly of the legitimate use of physical force* within a given territory... the state is considered the sole source of the right to use violence.”⁶⁵ Weber’s definition is reminiscent of Hobbes’ view of the state and violence, in which people’s fear of violence and annihilation makes the rise of a state that claims the monopoly of legitimate use of violence possible to guarantee ‘security’ over the territory.⁶⁶ Delving deeper into this characterization, Wydra argues that Hobbes’ definition could be explained that state’s “power over territory relies on the capacity for violence, which stretches from immediate action of physical damage to the long-sighted purpose of binding and continuous submission.”⁶⁷ In a more concrete way, the “relation of men dominating men a relation supported by means of legitimate, (that is allegedly legitimate), violence.”⁶⁸

The existence of the monopoly of ‘legitimate’ use of violence in a state is rather obvious to all, but its roots and its consolidation are far less so. The monopoly of violence argument was

⁶² Youssef Cohen, Brian R. Brown, A.F. K. Organski, “The Paradoxical Nature of State Making: The Violent Creation of Order,” *The American Political Science Review* 75, no.4 (December: 1981): 901.

⁶³ Weber, “Politics as a Vocation,” 78.

⁶⁴ Karl Marx, *Das Kapital* (Washington D.C. Gateway Editions, 1999).

⁶⁵ Weber, “Politics as Vocation,” 78 [emphasis by the editors].

⁶⁶ Thomas Hobbes, *Leviathan*, ed. Richard Tuck (Cambridge,: Cambridge University Press: 1991).

⁶⁷ Wydra, “The Recurrence of Violence,” 184.

⁶⁸ Weber, “Politics as a Vocation,” 78.

born together with the rise of ‘civility’ and the modern state. Norbert Elias shows that from the sixteenth century onward standards of conduct became stricter.⁶⁹ People learned to shake hands, and to express joy, whereas violence became regarded as rude.⁷⁰ In this context violence was transferred away from the public eye. The connection between civility and politics is not surprising when we learn that, as Norman recounts, the word ‘politics’⁷¹ was originally translated from the Greek into medieval Latin as ‘*civilitas*’ meaning “civility or politeness,” from the Latin verb *polire* meaning “to polish or refine.”⁷² The modern civilizing process, Elias referred, is closely linked to the appearance new of political classes, that “in their own way using various means sought to disarm competitors power groups, and to monopolize the means of violence over a given territory and its inhabitants.”⁷³ The monopoly of violence consolidated with the construction and development of professional armies (implements) that could deal with all kind of then inferior criminals. The monopoly of violence “ensured that men could only be highly civilized while other men, inevitably less civilized, were there to guard them.”⁷⁴ Because people could then allegedly be free of fear of annihilation, it was that they originally did not challenge or question the state’s monopoly of violence.

According to Keane, the problem with the rise of civility and the abhorration of violence is twofolded. It results in the “dangerous concentrations of the means of violence in state hands,”⁷⁵ and on “insulating the ownership and deployment of violence against moral calculations

⁶⁹ Norbert Elias *Über den Prozess der Zivilisation. Soziogenetische und Psychogenetische*, 2 volumes (Basel 1939) cited in Keane *Violence and Democracy*, 56.

⁷⁰ Keane, *Violence and Democracy*, 56.

⁷¹ From the title of Aristotle’s famous book that found its way to Europe in the 13th century.

⁷² Emma Norman, *El yo político* (Mexico: Ediciones Coyoacán, 2007), 10-11.

⁷³ Norbert Elias, *Über den Prozess der Zivilisation. Soziogenetische und Psychogenetische*, cited in Keane, *Violence and Democracy*, 58

⁷⁴ George Orwell, “Rudyard Kipling,” in *My Country Right or Left 1940- 1943: The Collected Essays Journalism and Letters of George Orwell* (Boston: David R Godine, 2000), 581.

⁷⁵ Keane: *Reflections on Violence*, 35.

and, hence, carries within it the seeds of planned cruelty on a mass scale.”⁷⁶ The ownership of legitimate violence is thus potentially dangerous. Furthermore, it is important to recall that state monopoly of violence came into being in predemocratic times.⁷⁷ More than four hundred years have passed since the monopoly of violence was claimed. Today our world is different from the one Hobbes or Weber saw. Today we no longer live in predemocratic times, but in a ‘postliberal’ globalized world where state violence (especially against non combatants) is usually condemned. Thus in the twenty-first century it is perhaps about time to ask ourselves how accurate is the use of Weber’s and Hobbes conceptions of the state and its implications for violence?

Even though Hobbes and Weber have a respected name in IR theory and practice, it is important to question whether or not reality has evolved beyond the confines of the concepts they created and, thus, past the alleged monopoly of violence. The question that needs to be asked here is how legitimate can state violence be called today?

For centuries, states have been involved in all kinds of war, for new territory, for defending their current territory against enemies, and today ‘in the name of democracy.’ Martin Shaw argues that “as a matter of historical record, most of the mass killing of modern history can be laid at the door of states organizations. States are practitioners of slaughter par excellence.”⁷⁸ Similarly, Wydra claims that “states can use their monopoly of violence not only for preserving the life of their citizens but also for the sake of terror and annihilation.”⁷⁹ Keane also backs the same point when he argues that “monopolist of the means of violence can turn life threatening weapons against their own subject population.”⁸⁰ Likewise, Parry argues “state violence thus protects and makes space for creative or productive activity but it also causes physical pain,

⁷⁶ Keane, *Reflections on Violence*, 35.

⁷⁷ Max Kaase, “Political Violence and the Democratic State,” *Scandinavian Political Studies* 13, no.1, (1990): 2.

⁷⁸ Martin Shaw, *War and Genocide* (London: Polity Press: 2003), 58.

⁷⁹ Wydra, “The Recurrence of Violence,” 183.

⁸⁰ Keane, *Violence and Democracy*, 61.

mental anguish and palpable injury.”⁸¹ These last are important claims, since—as Locke so famously pointed out—the duty of the state is to protect its citizens, not to use violence or resort to annihilation of the citizenry. For Arendt, equating the state to an apparatus which has the ‘power’ to destroy its citizens would be, especially today, incoherent since for her “to equate political power in the ‘organization of violence’ makes sense only if one follows Marx’s estimate of the state as an instrument of oppression in the hands of the ruling class.”⁸² Therefore both Hobbes, and particularly Weber’s, ideas of the state can, indeed, be viewed, like Arendt does, as quite odd for our current reality.

Physical violence used by the state is, of course, not a new phenomenon. On the contrary, “the real core of the state was always the organization of violence.”⁸³ But, to return to Galtung’s observation mentioned earlier, violence is not only present where there is physical aggression. Violence used ‘outside of the monopoly’ has been transformed into fear, for the benefit of the state. “[F]ears generated by war and rumors of war by no means disappear.”⁸⁴ It is this fear that can be manipulated and in some cases it can be profitable, or used as a justification for resorting to violence. The problem with fear is that it can become irrational, whereas violence, on the contrary, is rational. It is not my intention to write extensively about fear, since this thesis is concerned with violence. It is nevertheless important to note that when the monopoly of legitimate use of violence was claimed, structural violence was apparently not taken into consideration. There are many examples of this, among them racism, sexism, ethnocentrism, oppression, etc. These examples of structural violence do often end in fear and in physical violence. Moreover, if fear has been used as a justification of the state to engage in the use of

⁸¹ John T. Parry, “Pain, Interrogation and the Body,” in *Evil, Law and the State: Perspectives on State Power and Violence*, ed. John Parry (Amsterdam: Rodopi, 2006), 2.

⁸² Arendt, *On Violence*, 35-36.

⁸³ Shaw, *War and Genocide*, 60.

⁸⁴ John Keane “Fear and Democracy,” (Berlin, 2001 [cited on June 9, 2008] John Keane: Essays and Articles): available from: http://www.johnkeane.net/essays/essay_fear_and_democracy.htm

violence, against people or against other countries, state violence is not being entirely legitimate, and the monopoly of legitimate violence is proven to be dangerous. Consequently it is logical to think that “states are positively dangerous instruments of pacification,”⁸⁵ but also of domination and destruction.

In this sense there are several problems with the so-called state’s monopoly of legitimate violence. The first is that “the monopoly if claimed must also be protected.”⁸⁶ If the monopoly is not protected and therefore nonstate actors resort to violence and the population is not free from everyday violence, two kinds of debate arise: “one revolves around the actual perpetrators of the violence; the other focuses on the authorities unable and / or unwilling to prevent it [...] both controversies, however, are concerned with the issue of legitimation.”⁸⁷ In practice there has never existed a complete monopoly of violence, and nonstate actors, have frequently used violence. Second, if violence has been used for more than the sole reason of protection of people within the limits of the state, then illegitimate violence could be claimed, since the idea of the monopoly of violence was to protect a given territory and its people. And third, if a monopoly of violence is about the use of physical violence, then the use of nonphysical violence is not necessarily legitimate.

Arendt’s arguments are useful in attempting to tease out the implications of this kind of logic and for understanding more deeply the relation between violence, the state and legitimacy. She claimed that violence can never be legitimate, but it can in some cases be justified.⁸⁸ She nevertheless neglects to provide a deep analysis for this distinction. However, leaving this latter omission aside, considering the problems with the state’s use of violence, and if the state was to

⁸⁵ Keane, *Violence and Democracy*, 60.

⁸⁶ Gerald Cromer, *Narratives of Violence* (Aldershot: Ashgate Publishing Limited, 2001), vii.

⁸⁷ Cromer, *Narratives of Violence*, vii.

⁸⁸ Arendt, *On Violence*,

hold the monopoly of legitimate use of violence, then it seems reasonable—indeed, useful—to agree with Arendt, that violence cannot be legitimate, not by humans associations, but also not by the state. Additionally, it is important to notice that some scholars⁸⁹ have predicted the end of the state. If this prediction is valid, and if it were ever to be proven correct, and if that monopoly ever existed, who should now claim it? Or what is to happen? With all these inaccuracies, it seems that the problems of the legitimacy of violence have not been of enough worry for IR theories that tend just to accept the Weberian definition of the state without serious questioning. I hope this thesis is beginning to suggest that such questioning is not only useful to current IR study and its central concepts, and that it is good intellectual practice for those concerned with how complex concepts relate to each other. Likewise, not bothering to question the depths of key concepts can, it seems, have rather grim consequences.

2.4 Privatizing Violence... Command and Obedience

Currently it seems that Weber's conception of the monopoly of legitimate violence has evolved to an institutionalized monopoly of the implements of violence, or the 'democratization of violence.' With the goal of 'legalizing' and controlling violence, and human beings, the state has resorted into what Foucault described as the control of bodies through disciplinary measures by mechanisms of domination.⁹⁰ Following Foucault's arguments "bodies (not people) are confined for improvement in houses of discipline and punishment."⁹¹ It can thus be claimed that violence is increasingly occurring away, from the public eye, thus away from debate. It is important to

⁸⁹ For a detail explanation on this subject see: Jean Francois-Lyotard, *The Postmodern Condition, a Report on Knowledge*, (Manchester: University of Manchester Press, 1984). Kenichi Ohmae, *The End of the Nation State: The Rise of Regional Economies* (Free Press, 1996), Jean-Marie Guehenno, *The End of the Nation State*, (University of Minnesota Press, 2000), Paul Kingsbury, "In the Space of theory post foundational Geographies of the Nation-State," *The Canadian Geographer*, Vol. 50, 2006. Viven A. Schmidt, "The New World Order, Incorporated; the Rise of Business and the Decline of the Nation-State," *Daedalus* 124, no.2 (1995): 75.

⁹⁰ Foucault, *Power/Knowledge*, 121.

⁹¹ Michel Foucault, *Discipline and Punish. The Birth of Prison* (London: Penguin Books 1977).

notice this change, because if violence is hiding under a mask of ‘improvement’ then we no longer know what methods are being used and in this case legitimacy could hardly be claimed. Yet the problem is that, behind closed doors, violence becomes mute and what we do not see or hear is of no interest. Careful consideration has to be paid to this phenomenon of obedience/domination that breathes violence. Furthermore, in a criminological approach, “the destruction of bodies, through torture or indeed imprisonment, is deemed irrational, as it destroys potential human resources that can be used productively.”⁹² Legal methods of improvement or rehabilitation of bodies (and behavior) against ones consent (and liberty) and away from the public eye is inconspicuous violence which annihilates human dignity and therefore is not political, in spite of any possible justification or ‘benefits’.

Arendt was not particularly concerned with improvement, discipline or punishment; however the parallels with Foucault’s work, and his central concerns, are clear. She recognized the relation between command, obedience and structural violence, and pointed out how this is commonly mistaken for power.⁹³ Arendt saw that the state had the tools to apply particular measures of command and obedience, she explained why command and obedience are not measures of a powerful body since the problem with command and obedience is “where commands are no longer obeyed, the means of violence are of no use; and the question of this obedience is not decided by the command-obedience relation but by opinion, and of course, by the number of those who share it.”⁹⁴ And most importantly, what emerges is *not power*, but rather the lack of power. It is the destruction of the political realm in all ways.

⁹² Vincenzo Ruggiero, *Understanding Political Violence: a Criminological Analysis* (New York: Open University Press, 2006), 8.

⁹³ Arendt, *On Violence*.

⁹⁴ Arendt, *On Violence*, 49.

If we accept the elements of this logic so far, several questions important to IR discussions follow. If command and obedience are measures of the state, where does legitimacy rest? Where can we see it? With privatized violence, is the world a safer place now? Are the streets free of crime? Is privatized violence a political concern any more? Should it be? It is my argument that claiming a monopoly of legitimate use of violence is not appropriate, in most contexts, but especially not in our current reality, since the state is transforming a public phenomenon like violence into a private one, and in so doing making it absolutely mute.

Can Arendt's views on the subject inform our reasoning about some of these questions, many of which are especially pertinent today when the privatized violence of, for example, terrorist acts are presenting serious challenges to those governments attempting to legitimate their violent reactions against such acts? My view is that they can. Arendt believed that "it must be admitted that it is particularly tempting to think of power in terms of commands and obedience and hence to equate power with violence."⁹⁵ Arendt was well aware of the implements that the state or the government had access to, however she not only accepted that fact, she believed there was a solution, although it was not a particularly easy one, to this predicament.

[I]n a contest of violence against violence the superiority of the government has always been absolute; but this superiority lasts only as long as the power structure of the government is intact, that is, as long as commands are obeyed and the army or the police forces are prepared to use their weapons.⁹⁶

As Owens recognized, it may look as if Arendt's proposals were mere "utopian theoretical constructs."⁹⁷ Yet contrary to what she has been accused of, Arendt bothered to exemplify this idea. She identified the superiority of power against violence. For her the perfect example of this relation was present in the Hungarian uprising of 1956, "for a time millions participated in a revolt that led to the people temporarily wresting control of institutions and territory from the pro-

⁹⁵ Arendt, *On Violence*, 47.

⁹⁶ Arendt, *On Violence*, 48.

⁹⁷ Owens, *Between War and Politics*, 15.

Soviet regime.”⁹⁸ Arendt saw this event as the creation of a new public realm which emanated from people acting in concert against violence and domination. Although the defeat of violence with power is not an easy outcome, it is possible whenever collective will against domination or other factors is present. Consequently, Arendt's conception of power rests on freedom or, more precisely, on free choice. Therefore, if people decide to act in concert for or against any event, they can overcome from a basis of (real) power any ‘challenge’: violence, domination, discipline, punishment, etc.

In this section we have seen that Arendt's conception of power and violence can indeed be helpful in contesting several elements of, and assumptions underlying, generally accepted claims surrounding the so-called legitimate monopoly of violence enjoyed by the modern state. Concerning the monopoly of legitimate use of violence several inaccuracies that such a concept today encounters were identified. Furthermore, the current tendency to ‘democratize the implements of violence’ was also mentioned. Although they seem to fit into a legal and legitimate method of pacification, in essence it is still violence. Therefore Arendt's understanding of violence makes us question the legitimacy of such methods, of the monopoly of violence as a defining characteristic of the state, and of the very nature of power and how it relates to the way violence is conceptualized. To understand better why violence, according to Arendt, can never be legitimate, we need to explore the concept of legitimacy in relation to violence and the state's monopoly of legitimate use of violence.

2.5 Legitimacy, the State and Violence

Legitimacy in relation to the state and violence is, in IR theories, understood in different ways. For example, Schmitt derived legitimacy through legality, in particular through the constitution.

⁹⁸ Owens, *Between War and Politics*, 16.

He argued that “any constitution worthy of the name is the expression of the collective identity of a particular people, and, as such, must define itself against its enemies.”⁹⁹ In a different way, a Marxist understanding of legitimacy follows that “a state gains legitimacy not from rational consent, but rather by ideological manipulation.”¹⁰⁰ In addition, Barker identifies that since the end of the Cold War and the end of the communist system, three principal forms for obtaining legitimacy or legitimation are studied

normative assessment of legitimacy as a quality or possession of government; the study of popular attitudes towards and support for rulers as a basis for analyzing and predicting regime stability, both at national and transnational level; and the interweaving of the first two to form a bridge or an alliance between is and ought.¹⁰¹

Although there are many views on legitimacy, and today popular consent is the most recognized in the Western democratic world, Weber’s definition is still accepted and compelling in IR theories. The definition of the state is of course the main reason for its acceptance in IR. However he did not conceive a state without violence: “if no social institution existed which knew the use of violence, then the concept ‘state’ would be eliminated.”¹⁰² He additionally recognized three forms of legitimation of domination and the use of violence. Therefore for this thesis is relevant to revise these three methods and question its actual accuracy.

First, in the legitimacy of the “eternal yesterday,”¹⁰³ Weber recognizes the authority of a prince or of a patriarch who can exercise domination by tradition,¹⁰⁴ because he or his people have always been there. In this sense, the prince would be what Arendt recognizes as an ‘authority’ which is explained by the “unquestioning recognition by those who are asked to obey;

⁹⁹ Carl Schmitt, *Constitutional Theory* (Berlin: Duncker & Humblot, 1989), 3.

¹⁰⁰ McAuley, *Introduction to Politics, State and Society*, 69.

¹⁰¹ Rodney Barker, *Legitimizing Identities: The Self-Presentation of Rulers and Subjects* (Cambridge: Cambridge University Press, 2001), 8.

¹⁰² Weber, “Politics as a Vocation,” 78.

¹⁰³ Weber, “Politics as a Vocation,” 78.

¹⁰⁴ Weber, “Politics as a Vocation,” 78

neither coercion nor persuasion is needed.”¹⁰⁵ A condition that needs to be always present is respect. Although built by tradition, in Weber’s context, authority can easily be undermined by contempt or laughter. Currently this kind of legitimation is ‘downgraded’ and has become pure representation such regimes, or such authorities do not hold a position of domination but of a traditional past still respected. I.e. queens and kings are more respected by the tradition they hold than by their current actions.

The second form of legitimation of domination for Weber is, famously, by personal gift of grace or charisma; this is understood as the “confidence in revelation, heroism, or other qualities of individual leadership.”¹⁰⁶ This form of legitimation of domination can also be seen also in Schmitt’s *Concept of the Political* where he called the ‘quality’ *decisionism*.¹⁰⁷ For Schmitt, decisionism was a quality that was not present in liberal democracies, since he believed they were more a romantic idea, where no action could be achieved.¹⁰⁸ For decisionism to be achieved and ‘political activity to begin,’ a strong and charismatic leader was needed. A leader whose fortitude gave him power and his power of decision would legitimate his actions. Although Weber and Schmitt wrote in different contexts, both recognized the fascination for strong political leaders, who, in many cases, do in fact legitimate actions (or in the case of weak leaders, fail to legitimate them, as Jimmy Carter is well-known for doing). The problem with decisionism or gift of grace is that experience has shown us that charismatic leaders function particularly well in dictatorships, and as Schmitt recognized, in liberal democracy it is odd to find the concept of decisionism applied in a sustained way in practice.

¹⁰⁵ Arendt, *On Violence*, 45.

¹⁰⁶ Weber, “Politics as a Vocation,” 78.

¹⁰⁷ Paul Hirst, “Carl Schmitt’s Decisionism,” *Telos* 72, (Summer 1987).

¹⁰⁸ Carl Schmitt, *El Concepto de lo Político* (Madrid: Alianza Editorial, 1999)

The conclusion to be drawn here is that decisionism at some point breeds violence, and therefore power in the Arendtian sense of ‘action in concert’ would be at risk of disappearing. Arendt also recognized the importance of this personal ‘gift, grace or charisma’ in individuals, but she did not believe it was power, and certainly not legitimation of domination. It is here that Arendt again provides the more detailed, careful thought necessary to perceive several more refined nuances of the concepts of power and violence and what they are and are not. For Arendt, this type of “charisma” was *strength*, “the property inherent in an object or a person belongs to its character, which may prove itself in relation to other things or persons, but it is essentially independent of them.”¹⁰⁹ The problem with strength, Arendt thought, was that a majority can destroy personal strength; violence or power can destroy this personal quality. In modern democracies we rarely find this ‘quality,’ just like Schmitt recognized, and consequently it is today a rare and effervescent way of legitimacy and of domination.

Weber’s third method of legitimation of domination, similar to Schmitt’s concept of legitimacy in *Constitutional Theory*, is ‘legality.’ In modern times this method is among the most accepted since it rests on “the belief in the validity of the legal statute and functional ‘competence’ based on rationally created *rules*.”¹¹⁰ This method, however, has also been contested by arguing that “a state stable and lawful that refrains from persecution shows that it is good (or, at least, not bad) in certain ways, but it does not obviously show that the state has the kind of special moral relationship with any particular subjects that gives it a right to rule them.”¹¹¹ Therefore, to legitimize domination and violence, more than legality is needed. Simmons’ point is crucial in giving sufficient sense to Arendt’s original idea here, because it shows that domination and especially the use of violence can hardly be called legitimate, even by legal methods.

¹⁰⁹ Arendt, *On Violence*, 44.

¹¹⁰ Weber, “Politics as a Vocation,” 79.

¹¹¹ John A. Simmons, “Justification and Legitimacy,” *Ethics* 109, no. 4 (July 1999): 748.

Weber's methods of legitimate domination clearly face several problems. But the most important for the purposes of this chapter, and this thesis, concerns the following six ways in which it shows vagueness or inaccuracy. Indeed, this discussion of it very nicely illustrates how if one does not take care, diverse concepts can be fused, or confused together in a way that totally fails to appreciate their important differences at the conceptual level.

First, Weber does not mention what kind of domination the prince, the leader or the institutions are seeking to obtain. If it is pacific domination then it would have to rest on consensus. O'Donnell and Schmitter back this claim, "legitimate political domination can only be the expression of popular sovereignty."¹¹² However, if Weber meant violent domination (structural or behavioural), power would be destroyed and it would be quite inaccurate to claim legitimacy, *only obedience*. Second, modern states earn 'legitimacy for domination' by consensus. Democracies are elected to represent the citizens of the state, and the citizens compromise themselves to a couple of rules.

Third, Weber himself saw the possible inaccuracies of his conceptions recognizing that "we [sociologists] cannot deal with the highly complex variations, transitions, and combinations of these pure types, which problems belong to 'political science'."¹¹³ Weber was right, these problems belong to Political Science, but also to International Relations, therefore the problematic in his conceptualization of the state, violence and legitimacy seem rather inaccurate to IR discipline and current reality and needs attention. Fourth, it seemed that Weber was equating or understanding obedience and domination with power. On this Arendt claimed that "still it must be admitted that it is particularly tempting to think of power in terms of commands

¹¹² Guillermo O'Donnell, Philippe C. Schmitter, *Conclusiones tentativas sobre las democracias inciertas* vol. 4, trans. Leandro Wolfson (Argentina: Paidós, 1988), 32-33.

¹¹³ Weber, "Politics as a Vocation," 79.

and obedience and hence to equate power with violence.”¹¹⁴ Maybe it is tempting. But it is clear that Arendt would advise us to resist such a temptation for the reasons below.

Fifth, if the state is defined in terms of its use of violence and domination instead of its legitimate power then we encounter another problem: Weber is defining the state as a violent body, in other words, with a resemblance to the Marxist understanding of a state. Finally, the Weberian definition of the state, claims a monopoly of legitimate use of violence, however Weber found a predicament in human associations, “it is the specific means of legitimate violence as such in the hand of human associations which determines the peculiarity of all ethical problems of violence.”¹¹⁵ In the hands of human associations, can violence be legitimate? Where does the monopoly of violence rest if it is to be legitimate? And most importantly for this thesis, in what manner is violence understood? What signified violence to Weber’s study? If violence was only understood as a mechanism proper of the state (and one defined in a rather particularistic manner at that), then a *significant* part of the meaning of violence is lost. There therefore exists an incomplete conceptualization of both violence and the state on one hand, and a serious risk of ignoring or depoliticizing so-called “nonstate” manifestations of violence on the other.

The inaccuracies I have isolated here force into stark relief why the commonly accepted definition of the state and its legitimation of domination do not correspond anymore to the state and politics of our time. It follows that, if these questions are problems of Political Science and International Relations, it is our duty as scholars of these disciplines to search for and disseminate better nuances to the concepts of violence, the state and legitimacy and the practices we associate with them. Weber’s definition was accurate and useful for a different context, or for various

¹¹⁴ Arendt, *On Violence*, 47.

¹¹⁵ Weber, “Politics as Vocation,” 124.

inquiries in different disciplines, but for theories of international relations and the basic questions of concern within this discipline as a whole, it has some important gaps which should not be taken for granted. For, if legitimacy is not accurate in the Weberian sense, how is it possible to define it concerning the different understanding of politics, violence and power of Arendt?

Before moving forward it is first relevant to evaluate another theory on the ‘legitimate’ use of ‘just violence’. As Keane asserted going to war and subsequently exercising violence was said to be legitimate when it fulfilled the Just War Theory (hereafter JWT) criteria.¹¹⁶ Summarized, the conditions that allow going to war *Jus ad Bellum* are fivefold. First, that war has a just cause or intention.¹¹⁷ Second war is to be waged in self defense or desire for future peace.¹¹⁸ Third, waging war should only be attempted as a last resort.¹¹⁹ Fourth, war should be waged by a legitimate authority- namely the sovereign.¹²⁰ Fifth if the probabilities of success are high war should be undertaken. If these conditions are met then war is justified, but to be just *Jus in Bellum* the principle of proportionality ought to be met. Proportionality of end signifies recognizing that even a just war in response to injury does harm and so the overall good of the war should outweigh the harm.¹²¹ Moreover, for *any* reasons civilians must be harmed, and there must not exist violation of sovereign authority.¹²²

¹¹⁶ Keane, *Violence and Democracy*, 12.

¹¹⁷ St. Thomas of Aquinas, *Summa Theologica*, Part II, Question 40 Bezenger Bros. Edition, 1947).

¹¹⁸ See Augustine, *Against Faustus the Manichean*, XXII. 73-9 in *Political Writings*, trans, Michael W. Tkacz and Douglas Kries, ed. Fortin and Kries (Cambridge, Cambridge University Press, 1994), 222.

¹¹⁹ See also Neta C. Crawford, “Just War Theory and the U.S. Counterterror War,” *Perspectives on Politics* 1, no.1 (March 2003), 3.

¹²⁰ See Augustine, *Against Faustus the Manichean*, XXII. 73-9 in *Political Writings*, trans, Michael W. Tkacz and Douglas Kries, ed. Fortin and Kries (Cambridge, Cambridge University Press, 1994), 222.

¹²⁰ See both Augustine *Against Faustus the Manichean* and Aquinas *Summa Theologica*, for arguments concerning just war and sovereign authority

¹²¹ Crawford, Just War Theory and the U.S. Counterterror War,” See also Hugo Grotius, *The Law of War and Peace* cited in Ziyad Motala and David T. ButleRitchie, *Self Defense in International Law: The United Nations and the Bosnian Conflict* (1995), 57.

¹²² Crawford, Just War Theory and the U.S. Counterterror War.”

The problem that arises in JWT conceptualization of legitimate violence is that many moral judgments took place. Yet the debate was not only about the legitimacy of violence, but also about the authority who would make use of violence and if the act in itself had the possibility of victory. Few people with intentions of using violence or going to war would accept that their chances of achieving victory were not high. An interesting critique is pointed out by Perry where he argues “just war tradition: may tend to undervalue the lives of combatants. That killing a soldier or policeman can be just as immoral as killing non-combatants: ‘A combatant is a citizen in uniform.’”¹²³ Additionally, violence in self defense is recognized as legitimate in JWT and is still used by authorities as a basis for demonstrating legitimate retaliation.¹²⁴ However, as we have already encountered, the legitimation of violence faces several problems. Moreover the fact that violence is said to be legitimate in case of self defense, could justify preventive attacks. If JWT legitimizes the use of violence, and wars are violent actions, and violent actions are therefore categorized as legitimate, then the theory is thus incongruent since it is not serving to limit violence, but to justify it! However, “given the technical destructiveness of today’s means of violence, the imposition of practical limits and burdens of philosophical proof upon unlimited violence remains important.”¹²⁵ It is quite clear that JWT may be not the best option for drawing the limits of violence; yet it was a good starting point to provide and uphold a set of semi-coherent conditions that limit violence, especially state violence. Today, however, the accepted view is that JWT is just not enough.¹²⁶ Therefore, it is important to conceptualize violence and legitimacy in a manner which cannot be abused.

¹²³ Perry, David L. “Ambiguities in the War on Terror.” *Journal of Military Ethics* 4, (2005): 46.

¹²⁴ Saki R. Dockrill, “Dealing with Fear: Implementing the Bush Doctrine of Preemptive Attack,” *Politics and Policy* 34, no.2 (June 2006).

¹²⁵ Keane, *Violence and Democracy*, 12.

¹²⁶ Crawford, “Just War Theory and the Counterterror War,” 14-20.

Legitimacy is a concept that at best rests on consent, not on a claimed monopoly or in a broad theory. Therefore the key to understanding the argument claiming that violence can never be legitimate rests in an explanation of legitimacy earned by consensus. The classic proponent of this kind of argument is, of course, John Locke, who identified that “states earn their legitimacy by virtue of the (unanimous) consent of their members, a consent that transfers to the collectivity those rights whose exercise by a central authority is necessary for a viable political society.”¹²⁷ Very briefly, it is *people* who via a ‘transfer’ of power make a state or a government legitimate. Furthermore, “governments are legitimate only if they have been entrusted by the (state) society with the exercise of those same rights.”¹²⁸

So how is Locke’s concept of legitimacy connected to Arendt’s understanding of violence? Arendt believed that violence can never be legitimate, and it is the understanding of this thesis that state violence is not legitimate and claiming a monopoly of legitimate use of violence is therefore inaccurate. Hence, if legitimacy is not derived from individuals, by their unanimous consent, then it follows that waging violence against citizens and people in general would be a case of absolute illegitimacy, of absolute lack of power in the Arendtian sense. This view is backed by Kaplan, who argues that “the great difference between legitimate and illegitimate political systems is between those that have provided successful role reinforcement, thus minimizing the need for force, and those that have not and, therefore, depend upon the use of overt force.”¹²⁹ Therefore, considering the changes in regime type and the improvement in the means and application of violence and a globalized and interdependent world, Weber’s

¹²⁷ Simmons, “Justification and Legitimacy,”747.

¹²⁸ Simmons, “Justification and Legitimacy,”747.

¹²⁹ Morton A. Kaplan, *On Freedom and Human Dignity the Importance of the Sacred in Politics* (Morristown, NJ: General Learning Press, 1973), 4.

conception of the state is no longer particularly accurate or useful. It therefore seems important, if not imperative, for IR theories to consider other definitions more seriously.

Using Weber's famous classification, Stuart Hall provides us with a definition of an 'ideal type' of state where "power is shared; rights to participate in government are legally or constitutionally defined; representation is wide; power is fully secular and boundaries of national sovereignty are clearly defined."¹³⁰ The important point in this definition is not that it describes an ideal type of state where equity is the main premise, but that, in the study of the contemporary state—where democracy is the most legitimate regime type—the monopoly of violence is not mentioned or plays a secondary role, contrary to the accepted definition of Weber. If the ideal type of contemporary states is conceived by understanding power, participation and legality, such ideal types implicitly consider Locke's idea of legitimacy. Violence or domination are not mentioned and is not necessarily because something approaching, or conforming to the principles of, Arendtian thought was brought into consideration, but because it has become not-political (in the Arendtian sense) to think of domination in a world that is being impregnated with democratic values such as freedom. In this context it can be argued additionally that state violence is not longer conceived as legitimate just because it has the state as its source. On the contrary outside the domain of interstate war, state violence is becoming clearly illegitimate.

By understanding that the legitimacy of a state rests on consent, it is understandable that violence can never be quite legitimate. Moreover, considering the problems in Weber's definition of the state, in particular the claim of the monopoly of legitimate use of violence, and the three legitimate forms of domination I have outlined here, it is accurate to find more ways of thinking about the state and violence. I do not simply wish to critique Weber's definition of the state and

¹³⁰ Stuart Hall, "The State in Question," in *The idea of the modern State*, eds. Gregor. McLennan, David. Held and Stuart.Hall (Milton Keynes: Open University Press, 1984), 9-10

the monopoly violence, and its current use in IR theory. I have instead argued that this view no longer holds given some of the conditions we now find ourselves in the global 21st century, conditions that Arendt's conceptualization s appear to accommodate in a far better way than Weber's. And, using the questioning that her views of power, violence, strength and politics suggest, it seems to me that a more accurate conceptualization of the state than Weber's is found in the work of a more recent sociologist, Anthony Giddens. Giddens claimed that "a state can be defined as a political organization whose rule is territorially ordered and which is able to mobilize the means of violence to sustain that rule."¹³¹ Furthermore "such definition is close to that of Weber, but does not accentuate a claimed monopoly of the means of violence or the factor legitimacy."¹³² To make the conceptualization even more nuanced and sensitive to contemporary concerns and circumstances, we can add to this a view of Michael Mann's model in which a state

is differentiated set of institutions and personnel embodying centrality, in the sense that political relations radiate to and from a centre, to cover a territorially demarcated area, over which it exercises some degree of authoritative, binding rule, backed by some organized political force.¹³³

Thus it seems that the important factor when defining violence and the state is not the monopoly of violence, not domination. It *is* true that the state holds the most significant implements of violence and has the most effective salience and coordination. However, it is one thing to say that the state has the implements of violence, but it is quite another to say that those implements are legitimate. This claim serves as departing point for chapter three where I exemplify state violence in the War on Terror. There I show how clearly the Bush administration is resorting to structural and behavioural violence within and outside the U.S. Hidden under a moral rhetoric that is facilitated by a vague notion of violence, the administration found several loopholes through

¹³¹ Anthony Giddens, *The Nation State and Violence* (Berkeley and Los Angeles: University of California Press: 1987), 20.

¹³² Anthony Giddens, *The Nation State and Violence*, 20.

¹³³ Michael Mann, *The Sources of Social Power*, vol. 2 (Cambridge, Cambridge University Press: 1993), 55.

which it tried to justify preemptive attacks, war on Afghanistan, Iraq, the Patriot act, torture and violent interrogation in Guantanamo Bay.

2.6 Conclusions

Violence, in the Arendtian model, lends a more careful, nuanced and thoughtful sense to the more usual, curtailed views and uses of the concept that we are still accustomed to finding in the IR literature. Arendt recognized that violence had been understood and equated to other concepts and her thought traces the way for new questions. Her argument that violence can never be legitimate was to some extent addressed in this chapter. The state claims a monopoly of legitimate use of violence, however as we analyzed, the state has been engaged in violence not only in international wars, but also against its own citizens. With the evolution in the implements of violence, violence has become more of a private phenomenon which can occur behind closed doors, sometimes in the name of improvement. This last is another factor that makes violence illegitimate, the control of bodies, and the destruction of the political realm. It is in this context that Arendt theory can be well understood today: because violence destroys the public-political realm, violence and power cannot be the same. Because violence is mute, it is not political.

In International Relations, with some exceptions the Arendtian legacy has not been of much consideration, since it has often been considered a theoretical utopia. It is quite acceptable to argue that it is rather challenging to try to put her complex and unorthodox thought into practice. But that complexity and its unorthodox nature are what make her theory important. Arendt goes to the limit in her conceptualization, in a manner so detailed and thoroughly questioned from many perspectives that really does put to shame most other thinkers' use of the concepts of the state, legitimacy and of violence. It is for this unwillingness to let any dimension of a concept (and relatedly of how it is used linguistically) go uncritically questioned that her

work is most useful for international relations students. Yet, in some modest proportions, it is not impossible to put at least part of her theory into practice, by recognizing the essence and significance of political and apolitical phenomenon.

In a world where we are used to seeing violence everywhere, we are sometimes no longer shocked by it—it has, in essence, become commonplace in precisely the way that tends to permit us *not* to reflect on some of the assumptions we hold or continually hear about its existence, nature, occurrence and ethical status. In other contexts the glorification of violence is used by non state actors. This situation is in fact very dangerous because the lack of judgment, the misleading argument that ‘only violence pays’ and the globalization of the violent implements and actors makes state violence, state control over bodies and, of course, terrorism possible. It is thus important that we recognize the illegitimacy of violence and in that sense start giving new nuances, limits and potential modes of control to a phenomenon that is here to stay.

