INTRODUCTION

The Empire of Force
and the World of Words

In an important sense this entire book is an extended essay on the single sentence that stands as its epigraph, taken from Simone Weil’s wonderful essay on the Iliad: “No one can love and be just who does not understand the empire of force and know how not to respect it.”1 For the purposes of this book it is a crucial fact that our knowledge of the empire and our capacity not to respect it—and the opposite of these things—all show up constantly in our uses of language, in what we confirm and what we resist, in what we reveal and what we hide, as we speak and write.

1 Simone Weil, “L’Iliade, ou le poème de la force,” first published in Cahiers du Sud (December 1940–January 1941). In French the sentence reads: Il n’est possible d’aimer et d’être juste que si l’on connaît l’empire de la force et si l’on sait ne pas le respecter. The translation given above is my own, made after discussions with Alton Becker, David Curtis, Anis Memon, Piotr Michalowski, and Joseph Vining. A more literal translation would be: “It is impossible to love and be just unless one understands the empire of force and knows how not to respect it.” The essay has been reprinted in The Simone Weil Reader, ed. George A. Panichas (Mt. Kisco, N.Y.: Moyer Bell, 1977), 153, with the quotation appearing at page 181 and rendered into English as follows: “Only he who knows the empire of might and how not to respect it is capable of love and justice.”

Each of the translations has its own merit. What I mainly like about the one I use is that it maintains the order of the French, which assumes the reader’s interest in “loving and being just” as obvious goals of any human life worthy of the name and emphasizes by its placement at the end the psychological, literary, and social act of “not respecting”; that it avoids the formality and abstractness of the more literal translation, which tends to sound lifeless in English, though not in French; and that it distinguishes between the two kinds of knowledge expressed in the French verbs connaître and savoir: “understanding by experience,” which is the knowledge one must have of the empire, and “knowing how to do,” which is the knowledge one must have if one is to be effective in not respecting the empire. In the terms to be developed in this book, one kind of knowledge is a reader’s knowledge—understanding a situation and its meaning; the other is a writer’s knowledge—knowing how to use language to create meaning of an appropriate and valuable kind.
Weil wrote her essay on the *Iliad* during the period of fascism in Europe, just at the beginning of World War II, and saw the ancient poem as speaking directly to the horrible moment in which Europe and the world found themselves. The *Iliad* is of course about a stage in the Trojan war, which it describes in great and bloody detail. For Weil, this poem at once presents and criticizes the practice of dehumanization that is an inseparable part not only of a war between peoples but also, as we have since discovered, of that other kind of war that a government may wage against its own people. In this poem Homer sees, and brings the reader to see, the equal value and humanity of Greek and Trojan, of the human beings on both sides of this war. That is in fact the poem’s central achievement: to identify and to criticize, indeed to undermine, what Weil calls the empire of force—the ideology, the way of imagining the world and oneself and others within it—that is always present in war and required by it, but present also in our lives whenever people deny the humanity of others whom they destroy, manipulate, or exploit.

What Weil says about war is undeniably the case. If one is not a psychopath, one can engage in war only by denying the full humanity of those one is trying to kill. This is true even for a person fighting out of deeply felt idealism, on the side of democracy and decency, say, against tyranny and genocide. Think, for example, of the mentality that would make it possible to participate in the firebombing of Dresden or Tokyo in World War II. The people one is trying to incinerate—children, old people, tram conductors, electricians, musicians, laborers, factory workers, clerks, secretaries, mothers—are themselves of course no threat to our nation or its safety, and one knows this perfectly well. The thought is that if we destroy enough of them, in a hideous enough way, those in charge of the military that does present such a threat will lose their will to fight. We are killing civilians by fire to persuade generals and politicians to surrender.

In purely military engagements the situation is not so very different: the people you are trying to kill, who are also trying to kill you, would in other circumstances be recognized as people—in our own country as tourists perhaps, or as the locals if we were traveling abroad, or even as neighbors and friends if one of us came to live in the other’s country. It is through the operation of the military draft, or the work of war fever and
propaganda, or by some deep political failure on one side or the other, or on both—by some horrible mistake—that you find yourselves fighting each other to the death. You naturally experience triumph when you succeed, as does the soldier you oppose. Yet whenever anyone dies, on whichever side, a world of possibility dies with him or her, a web of relationships of caring and concern. A part of the fabric of humanity and human community has been torn to bits.

In a sense we know all this, of course. But we cannot allow this knowledge to be present and active when we are engaged in war, whether as a soldier or as a civilian cheering on the troops. It would not be endurable. And the dehumanization of which I speak is present as well in the psychological and political process that leads to war. It is a way of justifying war: you begin to paint “them” as monstrous, superstitious, barbarian, ignorant, savage, inhuman, and then you can go to war against them. Think of the Serbians who were married to Croatians in what was once Yugoslavia, or of the Hutu and Tutsi living at peace in Rwanda, all of whom suddenly discovered that there were lines of murderous enmity where before there were none.

In her essay Weil shows that for Homer, and for us, the dehumanization of others is an inherent psychological cost of war, a denial of truth that corrodes the mind and will. Perhaps it is necessary, if the war is necessary, but it is always present, as an ineluctable cost of the activity. To take an event that occurred during the writing of this book, recall the American effort to kill Iraq’s Saddam Hussein by bombing a restaurant in which he was thought to be dining. In the reports I read of this event, the only topic considered was the question whether we had succeeded in killing him. I saw no reflection of the fact that we had surely killed other people who were having dinner at the restaurant that evening, workers

2 Compare what Stuart Hood says in his memoir of World War II in Italy (speaking here of a local partisan leader): “Franco, for his part, remembered his father dosed with castor-oil and tied in a sack [by the Fascists], like a calf ready for the market, to lie in his own filth and weakness. He knew that Fascism degrades and by degrading its victim finds justification for murder.” Stuart Hood, *Pebbles from My Skull* (London: Hutchinson, 1963), 51.

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in the kitchen, waiters, passersby, and so on. Their deaths were, in the jargon of our day, collateral damage, like the shattering of plates and glasses. Yet each of these persons was a center of meaning and life; presumably all had friends and relations, children or parents, whose lives were injured, perhaps destroyed, by this violent killing. It is Homer’s achievement in the Iliad to bring to our attention where we cannot deny it the recognition of the common humanity of people on both sides of a war, a recognition that the very activity of war requires us all to suppress.

Of course, as Homer also makes clear, it is true that on these dreadful conditions human beings can be capable of extraordinary virtue and achievement—courage and loyalty and mercy. Homer loves and admires the people of his world, trapped as they are in a system of war. But that system is his ultimate subject. It is overcome only occasionally in the lives of his characters, at rare moments of understanding and feeling; but it is overcome constantly in his text, which recognizes and never forgets what no one in the poem can wholly see or act upon, the common humanity of Greek and Trojan.

All this is not necessarily to say that war is always wrong—though that is what some people may conclude—or that a good person cannot make a career with real nobility in the military, for that is surely possible, but rather that a necessary cost even of what we denominate a just war is that in it we erase the reality of other human beings and of what we do to them. This is a serious evil; maybe a justified evil, but an evil nonetheless.

THE EMPIRE OF FORCE AS A HABIT OF MIND

What interests me in this book is not so much the phenomenon of war itself as what lies behind war, and behind not only war but all the forms of power that enable or require us to reduce other people to objects, to deny their equal claims to a life of meaning and fulfillment. These are the systems of thought and imagination at work in our heads and hearts that make up an empire of force with which it is a duty, a necessity, to come to terms if we ourselves are to realize our own best capacities of mind and feeling. My question is not whether this or that particular war is justified, given the attitudes and arrangements of power that led to it and to the situation in which it breaks out, but what is to be done about those attitudes and arrangements and situations in the first place—about,
that is, the empire of force with which we always live, even in peacetime, and which is in a sense always preparing for the war in which it will attain its fullest expression. That is the subject of Weil’s essay and of this book.

One form this empire takes is the familiar one of which I have been speaking: that of armed men systematically destroying other people, armed and unarmed, and almost of necessity taking pleasure and satisfaction in so doing. Each person who is the object of destruction becomes, as Weil says, a thing in the mind of the other, not a person. But as I have suggested, the empire of force is at work not only in those who are engaged in the actual practices of war, but in others as well. Behind the men and women at the front are other people, all of us, committing ourselves to this activity, and necessarily engaging in our own ways of constructing those on the other side as things or animals or monsters, not people. Beyond even that, both for Weil and for the purposes of this book, the empire exists in other forms, in ordinary life and politics, throughout our lives in fact—whenever we find ourselves denying each other’s full humanity in the way we speak and think.

For the “force” of the empire of which Weil speaks is not simply military or physical in nature, but also psychological, emotional, and ideological. Though power may come from the barrel of a gun, as Chairman Mao once said, it is a real power only by virtue of the understandings among people that make the guns and bombs and spears usable and effective. All power rests on agreement among those exercising it. You can only order the secret police to sweep a neighborhood, to spy on citizens, to kill or torture opponents, if they are willing to accept orders and, in a democracy, only if the people become willing to accept the existence of a secret police who will do such things. And the members of the secret police themselves will obey orders only because they accept a vision of the world that supports this role and because this vision is confirmed by others.

What looks like external and physical force thus always depends upon—is really a manifestation of—forces at work within the mind and imagination. These forces are as real, and in their own way can be ultimately as destructive, as physical power. This means that the empire of force has presence and power in the minds of each of its agents and servants and supporters—in each of us who does not oppose it, who does not understand it and know how not to respect it. This is in fact where it really lives, in the mind; without that life it would have no force at all.
This dimension of empire can be deliberately created by a master manipulator, like Joseph Goebbels, or it can be something that looks quite different, simply the culture working itself out in our imaginations and our hearts. Each of us grows up surrounded by languages, codes, manners, expectations—ways of imagining the world and oneself and others within it—that tell us what to say and how to say it, what to do and how to do it. Mastery of these systems of meaning is essential to social competence: you have to know how to talk to your schoolmates, to your teacher, to your employer or employee, to the vendor at the newsstand, and so on, or you will be unable to achieve any of your objectives in life, indeed be unable to formulate objectives in the first place. But mastery of a culture’s resources for social interaction, for claiming meaning for experience, is also a kind of submission to them.

This submission may be to something deeply evil. Think of the “Aryan” child raised as a good German by his loving parents in the 1930s, for example, or a “white” child in a slave-owning family in our own country before the Civil War, each learning patterns of thought and feeling, even as very young children, that supported such horrors as mass murder and hereditary racial enslavement. The American language of race, from which none of us in this country can escape, is its own version of the empire of force, ruling each of us from inside our minds and hearts.

But the empire extends beyond such obvious evils to reach whatever modes of thought and imagination we unthinkingly or unconsciously adopt that deny our common humanity: our failure to see that the child born into poverty in an inner-city public hospital is as fully a human being, with the same value and rights and claims, as our own more privileged children; our collective acceptance of the values of a consumer economy, which systematically reduces life to the stimulation and gratification of desires without any attention to their larger meaning for the individual or the community; our repeated insistence on an inherent difference between “us” and those “others” who are different, across a wide range of familiar contexts; and, to take an issue of special interest to me and to this book, our ways of thinking of our political leaders, not as people whom we can expect to speak to us in a genuine way about our nation’s life and the problems that confront it, but as figures defined by a set of images and gestures, slogans and sound bites, just like those used to advertise commercial products on television. These systems of thought and imagination—in which all of us participate—tend to erase
the reality and humanity of other people, and in doing so to make us agents of an empire of force. This Weil saw clearly; it means that for her the *Iliad* is a profound criticism not only of the heroic culture of war presented in that poem, but of forces at work every culture, every human society, every human life. The empire of force lives within us, each of us.

**KNOWING AND NOT RESPECTING THE EMPIRE OF FORCE AS A PROBLEM OF WRITING**

How are we to respond to the reality of our own participation in the systems of dehumanizing thought that make up so much of our own world, our own thinking, our own characters? Simone Weil’s own life was a constant struggle to find an answer to that question, leading her to work in factories under soul-destroying conditions and ultimately to affirm her connection with the victims of war by refusing to eat more than she would have had in a concentration camp, a practice that led to her early death. That was the course she set for herself.

In the sentence I have quoted she suggests one place we might begin in shaping our own lives, telling us that the essential thing is to “understand” the empire of force and “know how not to respect” it. Yet how are we possibly to do this? How can we recognize the empires of force already at work in each of us, in the form of humanity-erasing languages—ways of imagining and thinking and speaking and acting—that exist in our minds, that shape our sense of the world? How can we learn not to respect these things, which are so much part of us? What are we to respect? What would it really look like to “recognize the humanity” of another person? Such are the questions that animate this book.

It is crucial for Weil, and for my purposes here, that the “understanding” and “not respecting” of which she speaks are internal activities of the individual mind. There is no adequate solution to the problem she identifies to be found in national policy, international law, programs or principles adopted by the National Council of Churches, philosophical systems, codes of conduct, or any other collective statement or action. These can of course all be good things or bad; but for us as individual people the only real remedy, and it is necessarily imperfect, lies in our own struggle to come to terms with the systems of meaning, with the
languages, that shape our world: our effort to learn to understand the empire of force and how not to respect it. To fail in this endeavor, she tells us, is to fail to be capable of love and justice, the central ends and fulfillment of human existence. It is a task for a whole life.

Her sentence is not a call to quietism or removal from the world. Once we begin to see what happens when people successfully claim power over the lives of others, when an empire of force is created in language and in life, we should of course try to find ways to resist it in our conduct: in our voting, our political and social action, our contributions of money and time and energy. But—and this is crucial to the power and meaning of her sentence—the problem she identifies does not go away when we act on the side of the poor and the oppressed, when we are reformers of the system, good as those things are. For when we explain and justify what we think, and what we do, we shall still be working with language, language will still be working with us, and our own formulations can quickly become the language of another empire, full of slogans, sentimentalities, falsities, and denials, of trivializations and dehumanizations. What we think and say can in a deep way replicate just what we should be most trying to resist.

As you may have noticed, for example, I have talked about “dehumanizing” others and its opposite, “recognizing their full humanity,” without giving either phrase much content. These are still what might be called thin or shallow expressions, in danger of being used as clichés or slogans. To think of Homer’s achievement as the recognition of the humanity of both Greek and Trojan is a fine start, but if we were to continue to work with that text we would need to capture and express, so far as we could, exactly how he does that and with what precise effect. That would be the central critical task. In this book I shall not proceed

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4 Compare what the Dalai Lama has said about peace: “Although attempting to bring about world peace through the internal transformation of individuals is difficult, it is the only way.” Foreword to Thich Nhat Hanh, Peace Is Every Step (New York: Bantam, 1991), vii.

5 For an extended reading of the Iliad with such an object in mind, much influenced by Weil’s essay, see James Boyd White, “Poetry and the World of Two: Cultural Criticism and the Ideal of Friendship in the Iliad,” in When Words Lose Their Meaning (Chicago: University of Chicago Press, 1984), chapter 2. For an earlier articulation of a similar basic insight about Homer’s humanity, see Gilbert Murray, The Literature of Ancient Greece (1897; reprint, Chicago: University of Chicago Press, 1956), 43: “It is the true pathos of war; the thing seen on both sides; the unfathomable suffering for which no one in particular
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with Homer but shall turn instead with such questions in mind to other texts that manifest the problem I am trying to define, from the writing of children to Supreme Court opinions to Dante’s Divine Comedy.

All of this work can be seen as a way of trying to give deeper content to the terms—“dehumanization,” “full humanity,” “empire of force”—that I am using to frame the investigation. Or, to put it another way, my object is to give the sentence from Weil the kind of attention that will resist the impulse we have to reduce language to slogan and cliché and instead keep this sentence alive as the complex challenge to the mind and soul that it is. Whether I succeed is another question; what I want to stress here is that the internal aspect of the problem, what might be called the literary aspect, is permanently with us, present in my own use of language and yours, all the time—including in this book, this paragraph—and requires our constant and unrelenting attention. Learning to understand the empire of force, and how not to respect it, is a task and responsibility for each of us. It is this task that is the subject of this book. Even when I talk about judicial opinions, then, I shall accordingly deal very little with arguments about legal doctrine, policy, or rule, for those arguments, and the choices they imply, can be made well and responsibly only if we find ways to acquire the understanding and knowledge of which Weil speaks, and to demonstrate those things in our thought and writing. Language is always dying in our minds, and it is our responsibility to give it life.

THE EMPIRE OF FORCE AND THE LAW

Weil’s sentence invites us to attend constantly to our own minds and language as they interact to form one another—to what we do when we read and listen, speak and write. The threat of the empire is constantly present in our lives, whenever we use language to think or talk, even in our most private moments. But our speech can have direct public consequences as well, perhaps nowhere more obviously than in the law, where public power is given shape and reality in language.

At first the law may seem to be by nature a primary agent of the empire of force, a crucial instrument through which that empire works in

is to blame. . . . [Is] it not a marvel of the sympathetic imagination which makes us feel with the flying Hector, the cruel Achilles, the adulterous Helen, without for an instant losing sight of the ideals of courage, mercifulness, and chastity?”
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the world to organize brute power—guns, and police, and bailiffs, and sheriffs—to dominate the weak, to erase distinction and difference, to obliterate the force of the individual mind and of individual life. But is that right? It can obviously be these things, but is the law inherently an instrument of the empire of force? Or can it be not the servant of the empire but something of a counterforce to it, a way—a structured and learnable way—of not respecting it? Can it in fact be an organized way of respecting the humanity of others? If not, can it at least be a place where these positive possibilities can be defined, and the forces that oppose them be contested? If so, what would that contest look like?

As a way of elaborating the line of thought suggested by these questions, I examine in what follows certain ways in which people have found it possible to speak in the law, good and bad. I look especially at some Supreme Court opinions that interpret the First Amendment to the U.S. Constitution, for here the Court must simultaneously address and exemplify the activity of speech itself.6

In this book, then, I weave together three lines of thought that would usually be regarded as distinct but are in my view deeply connected. The first is suggested by the body of this introduction and could be put as a question: How, as individual minds and persons, might we come to understand the ways that the empire of force is always present in our thought and speech, and learn how to resist its power by refusing to respect it? The goal, as Weil suggests, would be to render ourselves more nearly capable of love and justice.

The second line of thought concerns the law made under the First Amendment, largely by the Supreme Court, and concerns in particular the way the Court defines and thinks about the kind of speech the amendment protects. Should the constitutional phrase “freedom of speech” include all acts of verbal expression? That construction seems to almost everyone plainly impossible, since there are well-established crimes that can be committed by words alone, such as conspiracy, aiding and abetting, and incitement, and many forms of speech are traditionally the ground of civil action, such as defamation, copyright violation, and the like. It is almost impossible to think that the First Amendment should invalidate these well-established bodies of law.

6 The amendment reads in part: “Congress shall make no law . . . abridging the freedom of speech.”
But if the phrase “freedom of speech” does not include all speech, and if it also does include, as virtually everyone agrees it should, some forms of nonverbal expression (such as flag waving and marching and dancing), how are these words to be given meaning? In this book I do not propose a comprehensive answer to that question, which would require a book of its own, but I do make this suggestion: that we should start our thinking by assuming that the amendment singles out speech from other forms of conduct for a reason, and that the reason has to do with the extraordinary value of some acts of speech—what I here call living speech—to the individual speaker and hearer and to the larger world as well. Forms of speech that are manipulative at their core and in no way expressive of any person’s thoughts or feelings, such as commercial advertising, should be placed at the margin of protectability, while speech that is deeply meant and alive—speech above all that understands the empire of force and knows how not to respect it—should be placed at the center of the amendment’s protections.

The third line of thought relates to the writing, reading, and criticism of judicial opinions. Briefly stated, the idea is that the justices of the Supreme Court, and other judges too, are under even greater temptation and pressure than the rest of us to speak in dead, mechanical, or bureaucratic ways, and that they should resist these forces strenuously, seeking to attain in their own compositions the kind of life, the presence of mind and imagination, that can alone prevent the law from becoming a central actor in the empire of force.

This book is thus built on three ideas, all related to what I call living speech: an idea about the living speech by which alone each of us can resist the work of the empire of force in our lives; an idea about the First Amendment, namely that it should be read to protect living speech above all; and an idea about the work and writing of judges, and lawyers too, namely that in their effort to do justice it is crucial that they learn, as some indeed have done, to engage in living speech in their own performances. To say this is of course to present the question how the phrase “living speech” is to be defined and given meaning. It cannot I think be done by a stipulative or purely conceptional definition—by the elaboration or substitution of terms—but only by the experience of particular examples and reflection upon them, which is what I intend the rest of this book to offer.

My examples are drawn from law and from various other sources, ranging from the Bible to children’s writings to poems by Robert Frost.
and William Carlos Williams. In each chapter I turn as well to passages from Dante’s *Divine Comedy*, a poem that perhaps surprisingly seems to have a concern with the empire of force close to its center. I should also say that because each chapter addresses living speech in each of the contexts mentioned above, and in doing so calls on both legal and non-legal materials, the chapters are somewhat lengthier (though fewer in number) than is usual in a book of this kind.

This book is not centrally about war, then, or the brutality of the empire in its most florid and fully realized forms, but about the origins and sources of that kind of empire in our own thought and speech. Its real subject is writing and speaking, regarded as an activity of ethical and political significance. All of human life involves this activity. To do it well we must understand the languages, the habits of thought and expression, that surround us, that have their life within us; we must think critically about these forces and resources of meaning, which means thinking critically about our own uses of them; and we must learn the art by which we can begin to control these languages, turning them to our purposes, rather than becoming their agents and slaves—which means learning to have confident purposes of our own in the first place. In all of this we need to ask what kinds of relations we establish with others, those we talk to and those we talk about. This is what it would mean to “understand the empire of force and know how not to respect it.”

It is to explore these themes and questions, all of them prompted by Weil’s sentence, that this book is written. Chapter 1 is in a sense a continuation of this introduction, elaborating more fully the questions the rest of the book addresses. Each of the other chapters focuses on a different aspect of the problem, in what I intend to be a sensible and progressive order; but certain motifs and themes necessarily recur, some in every chapter, others more sporadically, giving the book as a whole a structure that is more spiral than linear in nature. We come back again and again, from different starting points, to the same central questions, in the process transforming our sense of what they mean.