WHAT IS THE PROBLEM?
BY NICK AXEL

Fear Not the Violent Threat of Power ///

The philosophical discourse of biopolitics has led to a rediscovery of political agency inherent to the practice of architecture and the production of built form within an urban context. Its assimilation within contemporary architectural thought has largely been through its employment as a critical approach to ideology, colonization or war, ranging from Michel Foucault’s disciplinary institutions to Eyal Weizman’s states of control. Most famously polemicized in the first lines of Walter Benjamin’s 1921 seminal essay “Critique of Violence,” an ethics of life is posited as the dialectical opposite from the violence of power.¹

Finding this relation between ethics and violence highly troubled, mediated as it is through the actions of power, Benjamin went on to infamously propose the concept of divine violence and ultimately the awkward confrontation between rationality and religiosity. While this type of theological recourse for dialectical overcoming is highly problematic in addressing the contemporary global championing of capital and its neoliberal subjectivity, particularly in our purportedly atheistic age, what I believe to be of supreme value is his metaphysical dissection of violence that ultimately locates its origin not in the political bodies of his (or our) time, but in the institution (as a verb) of power itself. It is therefore plausible to see how the dialectic of (ethics | violence) has been transformed over the past century into the dialectic of (ethics | institution) or even (ethics | power). Despite the fact that what I am taking as my topic for the purpose of this essay may not even be a legitimate argument in Latin languages where the word power in English can be translated as two separate words and concepts, it is my intention to put forth an alternative conception of power; one that is not trapped within a negative subordination to violence, but which may in fact actually be capable of its subversion.²

¹ “For a cause, however effective, becomes violent, in the precise sense of the word, only when it bears on moral issues.” Walter Benjamin, Reflections: Essays, Aphorisms, Autobiographical Writings. Peter Demetz (ed), Berlin: Schocken, 1986, 277.
Subversion is a concept that, despite its common usage within this discursive context, I believe is in need of a basic rearticulation. In medical terms, if the patient is sick, subversion seeks to address not the symptoms but its cause. If violence is that which we wish to rid our world of, we often look towards the body that inflicts it and seek to subvert that specific body, in its very life or its weapons. We do so under the belief that the body itself, in its agency, is the cause of the violence; not an arrest, but the legal body which engenders the event is thought of as the object to be subverted, in which the act either seeks to disable the right of the legal body to arrest or to destroy the legal body itself. This identification between agency and embodiment is highly problematic and ultimately jeopardizes emancipatory politics with its own ‘good intentions.’

First of all, bodies are, as modern science has rightly taught us, surprisingly resilient and plastic, which leads us to the conclusion that if a legal weapon is abolished, such as the right to arrest, another functional instrument of oppressive violence would emerge to take its place, in a possibly more diffuse and intense form. Secondly, this first problematic could easily lead us to locate the problem of power (and the threat of violence) in the body itself, for which, taken to a logical extreme (from legal embodiments of power to the literal body of the Other), would result in the nihilistic will to subvert and destroy all life. Subversion is therefore an extremely slippery concept, one that has perhaps done more to hurt us than to help us, whose ‘truth’ occupies an incredibly narrow territory in between two fallacious interpretations that I believe are a graver threat to the future of subversive ambitions than the forces we are trying to rid ourselves of.

While it would not be difficult to cite historical and contemporary examples of certain legal or religious bodies that condone violence, rather than questioning the legitimacy of the violent event itself (the arrest), it may be more fruitful to question why those legal or religious bodies are instituted in the first place (order). I furthermore believe it would be quite naive to think that these institutions did not historically emerge for specific reasons that responded to real social, economic and political problematics of their time, and through their evolution, to this day continue to operate in social, economic and political modes that function positively and, as constituents of our lived reality, should not and cannot be ignored.

Conjecturally, if we were able to archaeologically identify the institution’s legitimate reasons for being and then supplant these functions, would this not effectively make those embodiments of power obsolete? This is not to say, to take the stock market for example, if we were able to find a better way to make exorbitant amounts of

money for a select few, there would be no need for the stock market, but rather: if we could create an economic infrastructure (the stock market) that gives a greater existential reason for the existence of society (money, pleasure, value) while at the same time sustaining its continued existence (the circulation of capital), why would we need the stock market? If the market-as-it-is is viewed as the problem, perhaps the market-as-concept is the most powerful weapon we can use against it; fire, if it really is the problem, can, in fact, be fought with fire, particularly if what we add consumes oxygen and combustible material faster than the fire we are fighting.

Before moving on any farther, I feel it necessary to summarize my argument and its presuppositions up until this point. Violence has become endemic to the contemporary political order. Paradoxically, yet as can be witnessed in the contemporary fate of May 1968, a purely anti-approach to ethics, seeking either to abolish all violence or its embodied cause, is negative and reactionary, ultimately obstructing its own intentions with its own form taken to a logical extreme. Even though violence that has become endemic to contemporary institutions of power is radically contingent, these bodies of power came to be for arbitrary, yet real and (historically) legitimate reasons. But, importantly, the fact that power was embodied is not contingent, but is itself necessary. Echoing Walter Benjamin’s insight into the legal function of nonviolent conflict resolution, we can take insight from the political theory of agonism’s basic presupposition, the fundamental inerradicability of conflict, and view the essential function of politically embodied power as the resolution of conflict and the pacification of violence. Power is essential to mankind, and if power is the essence of what we may be fighting, we should not let ourselves be intimidated or distracted by its threat, and instead focus its contemporary manifestations, distinguishing between what is contingent and what is necessary.

The Differential Metaphysics of Power ///

At this point, we have reached the rudimentary conclusion that power is the only force that may be capable of subverting power, to which we should be strongly reminded of Foucault’s preface to Anti-Oe-

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4 Benjamin’s theory of nonviolence also has an uncanny formal affinity to divine violence. We can read: “[nonviolence] never [applies] directly to the resolution of conflict between man and man, but only to matters concerning objects” (Reflections, 289), whereas divine violence is only violent insofar as it is “annihilating … with regard to goods, right, life, and suchlike, never absolutely, with regard to the soul of the living” (Reflections, 297-298). The problem with this view, as I doubt any contemporary political institution would deny that this is their intention (or at the very least that their intention is opposite), is that while our juridical notions of violence have remained within a pre-modern disciplinary paradigm, violence and its consequences have become sublimated. What is at stake can be approached in two ways: to change the conception of violence, or to change the thing that conceives.
dipus where he states, “do not become enamored of power.” ⁵ It is therefore necessary to delve further into the potential ways power can be instantiated in order to claim that the weapon of liberation will not merely become the new weapon of oppression after the subversive event has taken place. In this regard, we can turn to Benjamin once again and the historical development of his conceptual project undertaken by Giorgio Agamben in his *Homo Sacer* series.

While Agamben’s project began from a historical examination of the contemporary present and its origin in the trauma of the Holocaust, his recent work has dealt largely with premodern religious institutions, concluding in a detailed analysis of the medieval Christian subjectivity and its enigmatic case of Franciscanism. In an attempt to put forth a conception of power that transcends the particular historical contingencies of today’s neoliberal world order, and as such can potentially be used against it, he uses Benjamin’s aphoristic proposal of divine violence as a starting point from which he conducts an archaeological study of the metaphysics of power as it is subjectively constituted by the ontological forms of commandment, which Agamben terms “rule,” and law.⁶ To roughly paraphrase a profound wealth of research, the commandment holds power over the subject as the rule itself is recognized as legitimate within the act of transgression, whereas law can only hold power over the subject if the subject’s violation of the law is made transparent to the legal body. Furthermore, law has a direct identity with the punishment of its transgression, whereas the rule is fundamentally incongruous with any punishment that may be inflicted for its transgression.⁷ Formally speaking, rule is more totalizing than law, as its mere enunciation instantiates its power, but the rule paradoxically accepts transgression as an integral part of its contingent constitution, whereas law, to put it crudely, intends to eliminate the absolute possibility of its own transgression.⁸

It can therefore be declared that, despite the essential similarity between rule and law in how they both create an ethical framework for judgment through the institution of power, their metaphysical deploy-

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⁷ “[The commandment] exists not as a criterion of judgment, but as a guideline for the actions of persons or communities who have to wrestle with it in solitude and, in exceptional cases, to take on themselves the responsibility of ignoring it.” Benjamin, *Reflections*, 298.

ments are radically different, particularly in their association to violence. To put it succinctly, rule is not itself in any way directly related to violence, whereas law is fundamentally based on and constituted by violence. It is furthermore possible to invoke Benjamin once more at this point, in saying that law is structurally unable to annihilate law, but is merely capable of juxtaposing the former with the latter and forcing an awkward synthesis between the two, whereas violence has the capacity to destroy violence.\textsuperscript{9} Even though the rule is historically tied to religious subjectivity, I would propose that it is within the metaphysics of the rule that we may be able to make law, and its violence, obsolete. Furthermore, it is perhaps exactly in the problems that are associated with and inherent in this proposition and its historical affinity to religion that architecture can specifically be used as a subversive instrument.

For a variety of reasons, I do not feel like it is unfair to claim that we have effectively lost the basic faculty of faith in the religious sense of having belief in the legitimacy of a rule and following it as a guiding principle and foundation for one’s life; religion has been made obsolescent by the law of the modern state and the global logics of capital. And yet, when we inhabit space and the architecture that structures it, we do not find ourselves oppressed by laws, but surrounded by rules. In response to the discourse of the Funambulist blog that regards the wall as a violent instrument, I would like to put forth a very elementary example to demonstrate the difference between law and rule as it relates to the power of the wall. If we walk up to a house and enter its door, we very well could have climbed through the window or cut a hole in the wall: there is no law threatening us with violence if we climb through the window, and if we were to break through the wall, law could be invoked, but only if the property was within the domain of a law that stipulated against the act and if the owner were to invoked legal apparatuses. If there is a winding path that leads from the street to the house, we could follow it, or we could cut across it and take the shortest route — even jumping the fence, if need be. Architecture therefore must first spatialize rules before it can treated legally in terms of property. Moreover, architecture is the spatialization of rules that law can hold power over.

The question at this point is, if we have found our subversive power in the rule, what do we wish to subvert? The first step in answering this question is to pose another preliminary one, being, what is there that can be effectively subverted by the rule? The logical answer to this would be law, but in order to more successfully identify the object for subversion, we should look towards the law’s causes and effects, more than the law itself. In an effort to avoid merely making the law more ‘attuned’ to our contemporary environment, the larger

\textsuperscript{9} See Benjamin’s discussion of the correlation between legal and mythic violence in Benjamin, Reflections, 295-297.
philosophical notion of law should be invoked that encompasses the total structuring of life, ranging from the way we occupy our time throughout the day and the space within our city to the conceptions we have of our neighbors and the relations with our friends to what we desire and how we are fulfilled. It is important to keep in mind that these subversive acts work within the subjective milieu of that which is being subverted, and therefore will instinctively be apprehended in a cultivated manner as inefficient, slow, weird, ugly, inconvenient, or unpleasurable. But these are ultimately what the subversive act acts against: they are the dying breath of what we subvert, through which we may find that these reactions were concealing a world of other potential value, enjoyment, appreciation, care, or desire. It is perhaps even possible that if one were intrigued, convinced, or lured to look beyond those learned reflexes, one may find the place they are in more preferable to where they were before.

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