

[연구논문]

Inoperative Violence: Envisioning a Critique of Violence in Reading *High Noon* and *Shane*

Youngboon Kim

(Sogang University)

1. Introduction

Many Western films problematize the conventional notion of justice suggesting that we can achieve justice through the rule of law. This study examines Fred Zinnemann's *High Noon* and George Stevens' *Shane* in terms of violence and justice. *High Noon* and *Shane* are two tropes revealing the foundational inter-relatedness of violence and justice. This article analyzes and juxtaposes these films through the lens of critical theorists, such as Walter Benjamin, Jacques Derrida, Slavoj Žižek and Giorgio Agamben. It argues that *High Noon* represents sovereign violence, while *Shane* shows us an example of what Benjamin calls divine violence. This contrast of two classical Western films would illuminate a certain dominant structure of violence that persists in our imagination of justice. Many previous discussions on *High Noon* and *Shane* have already argued about the

main characters' violence and justice, and often related them to the US's imperial hegemony after World War II or the American culture of violence. The focus of this paper, however, is neither on each individual text nor on the US's imperial hegemony. Rather, it explores a certain form of violence through the parallel reading of these two classic Westerns. The contrast between *High Noon* and *Shane* provides a paradigmatic opposition in that they represent two distinctive types of violence in relation to justice. After criticizing mainly Žižek's re-appropriation of divine violence, this paper will end with a proposal that we need to conceive a new concept of violence, which I can only name, at this point, as an inoperative violence.

2. *High Noon* and Sovereign Violence

High Noon tells the story of Will Kane (Gary Cooper), an aging sheriff who has just married a young Quaker named Amy (Grace Kelly) and is leaving the town of Hadleyville to pursue a new life as a storeowner. Although Kane was reluctant to retire before the arrival of a new marshal, induced by his friends and town principals, Kane hangs up his badge and gun belt on the wall and prepares to leave. However, he is suddenly told that Frank Miller is returning to the town. Miller is the archenemy of Kane; he had corrupted Hadleyville in the years before Kane brought him to the justice of law. The audience is indirectly informed that Miller had ruled Hadleyville from his saloon and had terrorized the town with his penchant for insane cruelty until Kane decided to put on the badge and defeat him.

Miller has been paroled and is returning to the town on a high noon train. Here, Kane faces a dilemma: stay and face Miller at risk of his life or to leave the town with Amy. Unwillingly persuaded by his friends and town principals, Kane almost escapes the town, but he soon changes his mind and decides to face Miller not only for his sake but also for the town. After returning to the town, Kane tries to recruit a posse, but his efforts to enlist the support of other residents fail. Ultimately he faces Miller and the other villains without the support of his community. As is conventional in the Western, Kane eventually kills Miller and the other evil gunfighters. When he finishes his job in the middle of the main street, the townspeople suddenly gather to praise Kane. However, Kane ditches his badge on the ground, and rides away with Amy.

In the beginning of the film, the audience sees Kane as the hero of the community surrounded by many friends on his wedding day. However, at the end of film, the town's hero-worship of Kane turns out to be nothing but a mirage. In his analysis on the postwar Westerns, Richard Slotkin argues:

the gunfighter enters the narrative already knowing that the Wild West's promise of fame and power (or of redemption) is an illusion; that the vision of the Frontier as limitless in its possibilities for personal and social perfection is a mirage; and that he himself has been rendered isolated and vulnerable by the very things that have made him victorious in the past.
(390)

High Noon portrays this more isolated, lonely hero in the postwar Western. Will Kane is an exceptional marshal who brought the

justice of law to the town when he defeated Miller five years previously. However, the very quality that makes him a hero of the town now makes him isolated in his community. When Miller is returning to kill Kane, the citizens of Hadleyville reject supporting their sheriff in his hour of need, claiming it is Kane's personal problem. Kane is estranged from the community because of what made him exceptional in the past.

Through his previous fight with Miller, Kane could monopolize the violence in the town, although it might not be his intention or what he imagines as a result of his fight with Miller. After his heroic victory, Kane's power and authority in the town represent the state's foundational violence and the beginning of the rule of law. The once lawless town has become a safe area awaiting the benefits of civilization and investment from the North. In this town, the danger of the outlaw returns. However, it is not just because Frank Miller is returning to the town. Rather the danger of the outlaw is due to Kane's retirement or the absence of authority, which eventually brings the temporary suspension of law. Kane is retiring from his job, and leaving the town to find a new life. And the town needs to wait for another marshal for its security. This interim between Kane's retirement and the new marshal's appointment is a kind of state of exception, although nobody in the town recognizes it; only Kane vaguely feels this situation is dangerous, as he is uncomfortable in retiring from his duty.

In *State of Exception* Agamben defines the state of exception as follows:

Although the paradigm is, on the one hand (in the state of siege) the extension of the military authority's wartime powers into the civil sphere, and on the other a suspension of the constitution (or of those constitutional norms that protect individual liberties), in time the two models end up merging into a single juridical phenomenon that we call the state of exception (5 italics in original).

The state of exception is a temporal lacuna of law, in which violence transcending law can be justified for the sake of the nation-state. It is an exceptional situation in terms of law, justice and violence. The conventional idea of justice is incorporated into the state's law, and it is the state that monopolizes violence. However, in the state of exception, this assemblage of justice, law and violence is reduced into a single sovereign, because the sovereign is the individual who can decide on exception, suspend law, and thus perform violence at his or her discretion. It is notable that only Kane recognizes the necessity of fighting against Miller, when all the town principals claim that there would not be any troubles if Kane leaves the town.

Kane has no legal responsibility to fight against Miller and his companions again, because he is no longer the marshal of the town. Not only his bride, but also the principals of the town encourage Kane to leave and not to have another gunfight with Miller; the fleeing circuit Judge says, "This is just a dirty little village in the middle of nowhere. Nothing that happens here is of any importance." However, Kane decides to face Miller: "But just as he rejects the moral authority of his wife's religion, Kane rejects the 'will of the people' and prepares to face Miller and his henchmen alone" (Slotkin 392). Why does Kane decide to face Miller, risking his life, while

rejecting the majority's opinion? What is the nature of the situation Kane faces? The first question seems to have some easy answers. Kane knows that, wherever he goes, Miller will follow him. So eventually, he needs to face Miller anyhow. In addition, as a man of responsibility, who once had the badge, he might feel that he needs to finish his job. Slotkin argues that Kane faces Miller ultimately due to his personality or character:

Kane's ultimate appeal is to the authority of his "character" and his "manhood" – the same "red-blooded" principles to which Judge Henry and the Virginian appealed in justifying the lynching of rustlers.... Kane forthrightly asserts the need for pre-emptive violence to prevent atrocities which he (apparently alone) believes are certain to follow Miller's return ... Like the Virginian, the "essential" goodness and manliness of his character provide the only "authority" to which he can appeal in justification of his actions. And the movie says it is enough. (393-94)

Slotkin's appeal to "the essential goodness" seems persuasive in that one of the main messages addressed by this film is that power should belong to the good. However, the interim situation or the temporary lacuna of law we see in *High Noon* implies the more complicated implications of Kane's position in relation to the use of violence and law.

In "Law and the American Western: *High Noon*," Mary P. Nichols argues that "The lawman, *High Noon* suggests, has an ambiguous status – always in the service of what is beyond himself and yet sometimes entailing and even requiring a loft preeminence over what he serves" (592). Nichols, while exploring Kane's relationship with

law, claims that in terms of our essential relationship with law, this film reveals that the rule of law has to be supplemented by the virtue of law-enforcer, because law is “not self-sufficient, for it depends on a source outside itself for its own maintenance” (603). But, what if this virtue of law-enforcer were an ideological illusion? What if Will Kane is just a myth of the virtuous law-enforcer? Or, what if *High Noon* is just a myth about the sovereign and its violence?

From Agamben’s perspective, *High Noon* can be understood as a story about the sovereign Kane in a state of exception. While quoting a passage from Schmitt’s *Political Theology*, Agamben writes,

The paradox of sovereignty consists in the fact the sovereign is, at the same time, outside and inside the juridical order. If the sovereign is truly the one to whom the juridical order grants the power of proclaiming a state of exception and, therefore, of suspending the order’s own validity, then “the sovereign stands outside the juridical order and, nevertheless, belongs to it, since it is up to him to decide if the constitution is to be suspended *in toto*.” (*Homo Sacer* 15 italics in original)

In *High Noon*, Kane is beyond the law in the state of exception.¹⁾ It is remarkable that Kane puts the badge on his chest by his own free will, when he returns to his office. Although he retired, he does not

1) Mary P. Nichols argues that Kane is beyond law but also restrained by law: “When Will Kane is reproached by a citizen in *High Noon* for not jailing the three gunmen waiting for Miller’s train, he explains that he ‘hasn’t anything to arrest them for’” (592). From my perspective, Kane’s response to the three gunmen rather implies they are not the real threat to the town, which means that the sovereign Kane does not see them as an exception to suspend the law of the town.

need any other authorities to make him the marshal of the town again; in fact, he is the only and utmost authority in the town, because the town judge abandons Hadleyville as soon as he learns of the return of Miller. Kane decides the return of Miller as a state of exception in the town, although other people in the town believe nothing will happen. As if a sovereign, he re-takes the position of marshal and tries to enlist a posse to fight against Miller, all by himself.

About the sovereign's decision Agamben claims, "The sovereign decides not the licit and illicit but the originary inclusion of the living in the sphere of law or, in the words of Schmitt, 'the normal structuring of life relations,' which the law needs" (*Homo Sacer* 26). The function of the sovereign's decision is essential in opening a space that can be ruled by law. In Hadleyville, Kane's decision is necessary in re-creating the normal condition for the rule of law. And what he achieves as a result of his confrontation with Miller is the very condition for the rule of law, while exempting himself from the restraints of law. Kane makes a preemptive attack on Miller and his companions. Kane is exceptional to the law; so is the sovereign.

In Kane's topological position in the realm of law, his violence and decision in relation to law are indistinguishable in that we cannot see whether he performs the law's power or if he is just another outlaw; whether he makes a decision of violence as a lawman or as an individual is unclear. Agamben rightly points out that "the sovereign is the point of indistinction between violence and law, the threshold on which violence passes over into law and law passes over into violence" (*Homo Sacer* 32). He further argues that this

sovereign power is the nature of the state's power in its foundational process. It means that although the state's violence is normally understood as being legitimated by law, it is originally indistinguishable between the realm of law and of nature underlying every state's power and authority. The truth is that this understanding of the state's violence and the sovereign violence is forgotten or veiled through the mystification of the violence.

Through the stark contrast of the virtuous Will Kane and the immoral community, *High Noon* contributes to this mystification of the sovereign violence. Kane's position as a sovereign is justified through the intentional contrast between Kane and his community. When Kane tries to recruit a posse, his request for support brings a range of excuses such as jealousy, economic interest, cowardice, and infirmity. It is true that Kane needs to fight against Miller for his own life. However, we cannot entirely ascribe his decision to his personality and personal interest, because he defeated Miller to save the town, to make the town safe for decent women and children, and also to bring the town civilization and wealth from the North. Thus, the community would receive the most benefit from Miller's defeat, but when another time for a hard decision comes to the community, people are scared to act righteously. This contrast of the community and Kane is an ideological portrayal devaluing people's decision-making abilities, people's virtue, and eventually the very idea of democracy, while empowering the strongest man in the community who can perform the very sovereign violence in a time of crisis. And this is not a strange or unique story to all of us particularly since the beginning of the War on Terror.

Without the backing of any of the town's citizens, Kane eventually kills the four evil gunfighters – with the help of Amy, who comes to see the limits of her pacifist convictions, which also informs us of the necessity of the sovereign violence for the rule of law. As Kane stands embracing Amy in the middle of the main street, the townspeople suddenly reemerge. Kane throws his badge in the dust, and rides out of the frame on his buckboard.

As Kane decides by himself to be the marshal of the town, he also decides by himself to retire. He is the man of decision, who will rely on his own discretion, even though he was not sure about that; Kane repeatedly answers to Amy and other friends, he does not know why he takes on the risk to his life. Kane might not want to be a sovereign, but the logic of the sovereign in the state of exception that Agamben reveals to us seems to require Kane to be a sovereign of the indiscernible position in relation to law and violence, and empowers him to perform the sovereign violence. This logic of the sovereign in the state of exception drives the narrative of *High Noon*, while veiling it in the virtuous, masculine, patriarchal, and even solemn face of Gary Cooper.

The ending of the film shows that the community does not deserve the noble Kane, or Kane is a figure who needs to be sacrificed for the legitimate foundation or regeneration of a community. However, the position of the sovereign only comes to the front in the state of exception. Through his sovereign violence, Kane brings juridical order to the town again. The town reinvents its juridical realm, and thus no longer needs the sovereign violence. If that is what happens at the end of the film, there is no space for the sovereign Kane. He

leaves the town not only because he is disappointed in the people of the town, but the sovereign character of Kane essentially makes him leave the restored juridical realm. The sovereign in the state of exception does not belong to the restored community, though he or she is necessary for the restoration.

3. *Shane* and Divine Violence

Kane's sovereign violence in the state of exception and his exceptional relation to law constitute one of the originary structural aspects of the state's foundational violence. This is what Walter Benjamin claims as "a dialectical rising and falling in the lawmaking [sic] and law-preserving forms of violence" in his "Critique of Violence" (251). If *High Noon* shows us such an originary violence of the state, *Shane* shows an opposite type of violence, which we can claim as divine violence. According to Benjamin, divine violence exists "outside the law as pure immediate violence" and does not aim to be another law-founding violence ("Critique" 252). While making contrast to the mythic violence of the state including law-founding violence and law-preserving violence, he claims of divine violence as follows:

Just as in all spheres God opposes myth, mythic violence is confronted by the divine. And the latter constitutes its antithesis in all respects. If mythic violence is lawmaking, divine violence is law-destroying; if the former sets boundaries, the latter boundlessly destroys them; if mythic violence brings at once guilt and retribution, divine power only expiates; if the former

threatens, the latter strikes; if the former is bloody, the latter is lethal without spilling blood. (249-50)

Interpreters of Benjamin struggle with what divine violence might effectively mean. His tantalizing idea of divine violence is esoteric, but presumably due to its ambiguousness, it becomes a fruitful seed for the discussion of violence outside the law's realm, which might not exist in reality. However, at least theoretically, it can be a hope to affirm the advent of violence that can emancipate human beings from the realm of law, authority, and (bloody) violence.

Among the various interpreters of Benjamin's divine violence, Derrida and Žižek are the most prominent. In "Force of Law," Derrida re-appropriates Benjamin's divine violence as being the Other's violence and justice. Derrida's understanding of divine violence is influenced by Emmanuel Lévinas' ethics of the Other. Critics of Derrida argue that his understanding of divine violence is deprived of the politically revolutionary character in Benjamin's divine violence. In "Force of Law," Derrida is cautious not to point out any explicit historical moment as an example of divine violence. In contrast to Derrida, Žižek, probably the most vocal proponent of divine violence in our time, does not hesitate to specify it: "That is to say, perhaps we should fearlessly identify divine violence with positively existing historical phenomena, thus avoiding any obscurantist mystification" (*Violence* 197). His examples of divine violence are as follows: the Reign of Terror in the French Revolution, the Paris Commune in 1871, the food riots in the favelas of Rio de Janeiro in the 1990s, etc. Despite his concrete examples of divine violence,

Žižek also argues,

there are no ‘objective’ criteria enabling us to identify an act of violence as divine; the same act that, to an external observer, is merely an outburst of violence can be divine for those engaged in it—there is no big Other guaranteeing its divine nature; the risk of reading and assuming it as divine is fully the subject’s own. (*Violence* 200)

And this is where I shall come back in some detail after analyzing *Shane* in terms of Derrida’s idea of violence and justice.

In George Stevens’ *Shane*, Shane (Alan Ladd) is “a knight-errant of the wilderness” who suddenly rides to the Starretts house on the way to where he has never been (Sardar and Davies 171). In this Wild West, he confronts an unavoidable conflict between a powerful mandarin rancher and small groups of independent homesteaders. Although the rancher Ryker and the patriarchic homesteader Joe Starrett try, as hard as they can, to make a reasonable deal for their mutual interests, they cannot do so. In terms of class and economic interests, they are in an incommensurable realm. They belong to different worlds, and their agreement is impossible. Thus, when they confront each other, violence is indispensable. As a guardian angel of homesteaders, Shane kills Ryker and mysteriously disappears without a trace except to little Joey.

In “The Burden of the American Hero,” Ziauddin Sardar and Merry Wyn Davies read *Shane* as an American mythic narrative that promotes the American hero and US justice, and argue that the main character’s violence not only reflects the violence-oriented US foreign policy, but also represents the isolation of the US in the world. In their view, *Shane* seems not so different *High Noon*. From their

view, these classical Western texts reveal that Americans can achieve or perform their idea of justice only through violence. Such an accusation against the US and the Western in general ignores the complicated relation between violence and justice in the juridico-political realm, for example, as seen in this paper's analysis of *High Noon*.

A different reading of *Shane* is possible if we take into account Shane's otherness or what Michael T. Marsden calls "the savior-like nature" (97). In "The Western: the Genre that Engenders the Nation" Garry Watson argues that Shane is a sacrificial figure for the legitimate foundation of the community: "Having become too 'dirty' or impure to stay, Shane needs to disappear into the wilderness so that he can be cleansed or purified... The reason Shane has to die is so that the community being born can be felt to grow out of *him*, or *his* body, rather than ... out of his (the hero's) killing of a victim we don't care about" (6).²⁾ In a similar milieu, Richard Slotkin also points out, "Shane is never part of the community, and his superior values are not seen as belonging to the community" (400). As Watson and Slotkin argue, at the end of the movie, it seems that Shane has to leave the community because he is the man who has bloody hands, and thus cannot stay in the peaceful community. Seen from this, he is a typical Western hero who joins the community, fights for it, brings everything to normal, but as he is forever branded as a killer, he has to leave the restored community.

2) At the end of the film, Shane rides away with a gunshot. Here, Watson makes his argument on the premise that Shane will die soon, although the audience would not see his death.

However, Shane is also a very anti-stereotypical Western hero. Although we all know that Shane is the main character of the film, and we also expect that he will have a decisive role in the conflict between the homesteader and the rancher Ryker, Shane, in a certain sense, remains as a spectacle or background character. In *From Shane to Kill Bill*, Patrick McGee argues:

The parents [Joe Starrett and Marian] reinforce Joey's gaze with their own, and there is no subjective reverse shot that reveals the family from Shane's perspective. In fact, Shane is clearly the object of the gaze and occupies the position that Laura Mulvey attributes to women in classical Hollywood cinema. Though Shane eventually plays an active role in the narrative of this film, for most of the time he is on the screen he functions as spectacle. (4)

Shane never reveals his past in front of the people. He never infringes upon Joe Starrett's patriarchal authority in the community; he acts as if he is just a mere guest or stranger. In addition, he never shows off his almighty force almost until the end of the film, though everyone in the film imagines Shane's power somehow.

Patrick McGee observes the first scene of Shane as follows: "In the long ride to town with its triumphal music, Shane has been transformed into a godlike figure These images transform Shane into the embodiment of a law that transcends human institutions and into the violence instrument of divine providence" (18). Michael T. Marsden also argues, "Shane is the new Christ, the frontier Christ, coming down from a Western Olympus to help the cause of the farmers against the rancher" (97). This godlike figure of Shane as the Other of the community is welcomed by the hospitality of Joe

Starrett and his family. In exchange for this hospitality to the Other, Shane performs his violence. Shane's violence and justice are a response to this hospitality to the Other. Unlike Kane's violence in *High Noon*, his violence does not aim to achieve anything. And this otherness in Shane's violence makes him righteous.

Shane is not willing to perform his violence. Unlike Kane, who decides upon the momentum of violence, he endures until he faces an unavoidable moment of violence. His violence is the counterpoint of the sovereign violence in the political-topography of law and justice. Derrida, in his "Forces of Law" explores the indispensable relation between violence and justice in law. In arguing about Pascal's idea of justice, Derrida claims, "Justice without force is powerless—in other words, justice is not justice, it is not achieved if it does not have the force to be "enforced," a powerless justice is not justice, in the sense of law" (238). Even more strikingly, according to Derrida, Pascal says, "And thus being unable to make what is just strong, we have made what is strong just" (239). Although there could be many different origins for why we project our ideas and beliefs of justice onto the state, Pascal's idea of justice is one main reason why the state has come to represent justice through its violence and law. And it is also why the state has to monopolize violence, while creating the distinction between legal violence and illegal violence. We claim and protect justice according to the law of the state with the monopolized violence of law enforcement; this is what Kane achieves and embodies in *High Noon*. Otherwise, the authority of the state's justice and law will always be challenged by other forces; although the state would not justify it for others, it will

justify it for itself. According to Derrida, Pascal's notion of justice represents the most conventional and historical interpretation of justice and violence in relation to law and the state (239).

In contrast to this idea of the state's violence and justice, Derrida claims only God's justice or the Other's justice can really justify violence: "*But who signs violence [qui signe la violence]-will one ever know it? Is it not God, the wholly other? As always, is it not the other who signs?*" (262 italics in original). Taking a cue from Benjamin's idea of divine justice, he names it the messianic justice or the Other's justice, while contrasting it with the justice of law. Derrida associates true justice with that which is infinite, incalculable and unknown to us. Unlike the justice of law, this Other's justice is not something we can claim or define, for God's justice exceeds our reason and control.

If Will Kane represents the conventional state's violence and justice in *High Noon*, Shane embodies the justice of the Other. Unlike Kane, Shane does not have any interests in fighting against Ryker. Shane simply returns the Starrett's hospitality, and leaves the community without any promise to return. As Benjamin argues, divine violence is law-destroying violence in that it not only transcends the boundary of law, but also does not aim to create another law. Unlike the lawman Kane, Shane is free from the concerns and restrictions of law. Kane risks his life because he wears a tin star, the badge that represents the justice and force of law, and he removes the tin star only after he kills all the villains in the movie. Shane is less interested in the peace and prosperity of the community. His main concern is, rather, how to respond to the

hospitality of the Starrett family. And for the Starrett family and the other homesteaders, Shane is an unexpected but timely intrusion of justice beyond law, which we may call divine violence following Benjamin and Derrida. Unlike Kane's violence and justice, Shane's violence and justice are more mysterious and also ineffective in terms of practical applications. However, it does not mean that the idea of divine justice is useless, because the impossibility of pure justice may haunt the current juridico-political realm and make us question the decisions made by the sovereign and the state's violence, and, eventually, will help to re-construct the justice of the state, of law, and of the sovereign. In other words, whenever Kane makes a violent resolution as a sovereign, Kane should be aware of Shane's presence on the verge of the juridico-political realm. Whenever a Will Kane justifies his sovereign violence, a Shane will criticize the justification of his authority and violence.

For Žižek, such Derridean appropriation of divine violence is simply not enough in this age of the end times. As mentioned above, Žižek returns to Benjamin's notion of divine violence in his own radical fashion. In *In Defense of Lost Causes*, he writes, "This book is unashamedly committed to the 'Messianic' standpoint of the struggle for universal emancipation" (6). Žižek adds that "The true aim of the 'defense of lost causes' is not to defend Stalinist terror and so on, as such, but to render problematic the all-too-easy liberal-democratic alternative" and "the misfortune of the fate of revolutionary terror confront us with the need—not to reject terror *in toto*, but—to reinvent it" (6-7). For universal emancipation, from Žižek's perspective, what we need is a Badiouian event that will

transform our given coordinates of the political and the economic. And here bloody violence in the name of divine violence is inevitable. Thus, in “Democracy versus the people,” writing of the mob violence of Haiti under Jean-Bertrand Aristide, Žižek controversially argues: “Although we are dealing with what can only appear as ‘immoral’ acts of killing, one has no political right to condemn them, because they are a response to years, centuries even, of systematic state and economic violence and exploitation.”

It is one thing to discuss a form of divine violence in a movie, but to specify it in reality is another matter. The extreme difficulties in understanding Benjamin’s notion of divine violence is not just because the concept is notoriously vague:

if mythic violence brings at one guild and retribution, divine power only expiates; if the former threatens, the latter strikes; if the former is bloody, the latter is lethal without spilling flood... Mythic violence is bloody power over mere life for its own sake; divine violence is pure power over all life for the sake of the living. The first demands sacrifice; the second accepts it. (Benjamin, “Critique” 249-50)

As Žižek points out, “there are no ‘objective’ criteria enabling us to identify an act of violence as divine” (*Violence* 200). In *Violence*, he also claims, “When those outside the structured social filed strike ‘blindly,’ demanding and enacting immediate justice/vengeance, this is divine violence” (202). If we follow Žižek’s arguments on divine violence, then, the sovereign violence in the state of exception or the popular justice reflected by the vigilante becomes indistinguishable from divine violence. How could we disclaim that Stalin’s Gulag and

Hitler's Auschwitz were not examples of divine violence? And this reservation is the true reason why Derrida does not identify any event of divine violence in history and rather solemnly argues justice is impossible.

5. Conclusion: Beyond the Dynamics of Sovereign Violence and Divine Violence

The theoretical impasse in the dynamics of sovereign violence and divine violence, so far unraveled through my reading of *High Noon* and *Shane*, represents the true crux in understanding and thus overcoming the current politico-economic situation where any form of social transformation seems more urgent than ever—though our society seems to have lost any political means or faith to make such a transformation. Neither the violence in *High Noon* nor in *Shane* seems recommendable. If violence cannot be excluded in principle from any social transformation, then what forms of violence would be our means to transcend the dynamics of sovereign and divine violence? Taking a cue from Agamben's notion of inoperativity and impotentiality, my exploratory proposal is inoperative violence. By inoperative violence I mean a new form of violence, which would not be reduced to the binary opposition of law-making and law-destroying violence. Inoperative violence is, rather, suspending law or rendering it inoperative, while not trying to preserving it. In doing so, it perpetually opens a new possible use of violence. In his searching for a new use of body, Agamben provides an insightful example, helped by Alfred Sohn-Rethel's "Philosophy of the Broken."

Agamben writes as follows: “true technology begins when man is able to oppose the blind and hostile automatism of the machines and learn how to move them into unforeseen territories and uses, like that young man on the street in Capri who transformed a broken motorcycle engine into a device that makes whipped cream” (*Nudities* 99). And he further argues, “Inoperativity is not left here to its own devices but instead becomes the opening, the ‘open-sesame,’ that leads to a new possible use” (*Nudities* 100). In the same line of logic, we can argue that we need to deconstruct and re-construct our imagination on the form of violence, so as to find an opening that will lead us to a new possible use of violence.

Such inoperative violence might be just another form of Benjamin’s divine violence or non-violent divine violence.³⁾ At the end of his essay, Benjamin writes, “Less possible and also less urgent for humankind, however, is to decide when unalloyed violence has been realized in particular cases. For only mythic violence, not divine, will be recognizable as such with certainty, unless it be in incomparable effects, because the expiatory power of violence is invisible to men” (252). If the expiatory power of divine violence is invisible to men, then, to identify what is an event of divine is hubris; this may explain why Žižek’s arguments on divine violence and his messianic standpoint could have disturbed many greatly. However, Žižek’s hubris also reflects our necessity to re-appropriate divine violence into another form so as to actualize its power in our reality. Derrida

3) In her reading of Benjamin’s divine violence, Judith Butler considers it a non-violent violence. Similarly, Simon Critchley defines divine violence as an anarchic and non-violence violence. See Critchley’s “Violent Thought about Slavoj Žižek” for more details.

writes, Benjamin's "divine violence would be at the same time annihilating, expiatory and bloodless" (298). How to interpret Benjamin's text or whose understanding of it is correct is not an issue here.⁴⁾ Rather, my suggestion is we must modify our vision of violence and inoperativeness to protect the foundation of our life and living in the age of apocalypse, while not repeating a mere act of survival. The question, of course, is how to conceive and perform this inoperative violence. I can but say, the only gesture left here is to express the apologetic wish for some revelation of inoperative violence that takes place without the disruptive consequences that threaten our existence. Until then, we need to struggle with and wrestle with the task of conceiving the power of inoperative violence, which will render whatever forms of violence inoperative.

Taking the risk of redundancy, it has to be emphasized that Kane and Shane are good people. However, we need to kill these good people with good bullets, as Brecht once suggested in his "The Interrogation of the Good."⁵⁾ And thus, we will learn how to develop a new use of violence and how to play with it.

4) So many people have written about Benjamin's "Critique of Violence" since Derrida's "Force of Law" (1989). The list of critics includes such eminent names as Giorgio Agamben, Judith Butler, Slavoj Žižek, and Simon Critchley. How to understand Benjamin's text is still a matter of controversy. In particular, Critchley and Slavoj Žižek have been conducting a very public debate about the use of violence and politics of resistance centering around Benjamin's essay, since Žižek's review of Critchley's *Infinitely Demanding* in 2007.

5) I am helped here by Žižek's use of Brecht's "The Interrogation of the Good" in *Violence*.

Works Cited

- Agamben, Giorgio. *Nudities*. Trans. David Kishik and Stefan Pedatella. Stanford: Stanford UP, 2010.
- _____. *State of Exception*. Trans. Kevin Attell. Chicago and London: University of Chicago P, 2005.
- _____. *Homo Sacer*. Trans. Daniel Heller-Roazen. Stanford: Stanford UP, 1998.
- Benjamin, Walter. "Critique of Violence." *Selected Writings*. Trans. Edmund Jephcott. Ed. Marcus Bullock and Michael Jennings. Vol. 1. Cambridge: Harvard UP, 1999. 236-252.
- Derrida, Jacques. "Force of Law." *Acts of Religion*. Ed. Gil Anidjar. New York: Routledge, 2002.
- High Noon*. Dir. Frank Zinnemann. Perf. Gary Cooper, Grace Kelly, Katy Jurado, and Lee Van Cleef. 1952. Olive Films, 2012. DVD.
- McGee, Patrick. *From Shane to Kill Bill: Rethinking the Western*. Oxford: Blackwell, 2007.
- Marsden, Michael T. "Savior in the Saddle: The Sagebrush Testament." *Focus on the Western*. Ed. Jack Nachbar. Englewood Cliffs, N.J.: Prentiss-Hall, 1974. 93-100.
- Nichols, Mary P. "Law and the American Western: High Noon." *Legal Studies Forum* 22.4 (1998): 591-605.
- Sardar, Ziauddin and Meryll Wyn Davies. *Why Do People Hate America?* Cambridge: Icon Books, 2003.
- Shane*. Dir. George Stevens. Perf. Alan Ladd and Jack Palance. 1953. Warner Bros, 2000. DVD.
- Slotkin, Richard. *Gunfighter Nation*. Norman: University of Oklahoma P, 1998.
- Watson, Garry. "The Western: the Genre that Engenders the Nation." *Cineaction* 46 (1998): 3-10.
- Žižek, Slavoj. *In Defense of Lost Causes*. New York: Verso, 2009.
- _____. *Violence: Six Sideways Reflections*. New York: Picador, 2008.
- _____. "Democracy versus the People." *New Statesman* 14 Aug. 2008.

- 논문 투고일자: 2015. 11. 30
- 심사 완료일자: 2015. 12. 22
- 게재 확정일자: 2015. 12. 22

Abstract**Inoperative Violence: Envisioning a Critique of
Violence in Reading *High Noon* and *Shane***

Younghoon Kim

(Sogang University)

Though the Western genre is often considered through a historical and cultural context, many Western films deconstruct and re-construct the idea of violence, justice, law, and normality. This study explores how *High Noon* (1952) and *Shane* (1953) represent the unstable relationship of law to violence. In viewing these films, this study aims to offer critical intervention into contemporary critical discussion on law and violence, promoted by Derrida, Žižek, and Agamben. Walter Benjamin's "Critique of Violence" provides the major theoretical framework for this study's analysis of *High Noon* and *Shane*. Following Benjamin's idea of violence, this study examines these films as an exploration of the two types of violence: sovereign violence and divine violence. The contrast of these two films inspires us to find a new way of appropriating Benjamin's divine violence. This paper suggests "inoperative violence" as a form of violence that can open up new possibilities for social transformation.

Key Words

High Noon, *Shane*, Divine Violence, Inoperative Violence, Giorgio Agamben