

FRENCH LITERARY THEORIST AND STANFORD PROFESSOR René Girard (1923–) understands sacrificial rituals as symbolic diversions that keep violence from occurring within communities. He developed a form of analysis of ritual and mythology known as “mimetic theory” that has been both admired and challenged.

As Girard sees it, mimetic desire is born between two or more individuals when one, the “disciple,” desires the fullness of being that the other, the “model,” seems to possess. The disciple may believe that she or he desires the model’s objects, but mimetic desire in fact is deeper. It emanates from a fundamental insecurity about one’s intrinsic self-worth. Because it is the model’s very existence, not objects, that inspires mimetic rivalry in the disciple, mimetic desire is inevitable in group dynamics. It pervades societies. Without a social diversion, mimetic desire ends in violence because models react against the desires of the disciples, who react in turn to the models. The cycle of reactions explodes into reciprocal violence. By themselves, humans have no internal braking mechanism against reciprocal violence, Girard argues. Hence, reciprocal violence leads to cycles of revenge and ultimately to social chaos. This is where religious myths and rituals enter situations of social tension and provide symbolic acts of violence that redirect the feelings of hostility away from their original targets.

In this excerpt, Girard discusses a key part of this theory, which he calls generative scapegoating. In order to deflect chaotic violence, mimetic rivals redirect their animosity onto a third party, a scapegoat, who is abused and ultimately killed, thereby absorbing the animosities of the rivals. Societies sanction this scapegoating by inventing rituals and mythologies that serve to redirect the vengeful and violent behavior of rivals onto a sacrificial victim. To be effective in absorbing social tensions, the sacrificial victims must fit various criteria. They must resemble an actual target of mimetic rivalry—for whom they act as surrogates—and they must be vulnerable and socially situated so that their deaths are unlikely to elicit a cycle of revenge. Their ultimate purpose is to draw the urges for reciprocal violence from individual members of a society into one collective act of violence against themselves. When the collective violence, or “violent unanimity,” subsides, a temporary calm prevails. Then, through a mythological ploy, religion may construe the collective murder as foundational and redemptive for society.

According to Girard, the functions of religion's sacrificial institutions and the penal institutions of the justice system overlap. In addition to their claimed purposes, both in fact express and divert the violent impulses that otherwise would destroy societies.

"SACRIFICE," VIOLENCE AND THE SACRED

In many rituals the sacrificial act assumes two opposing aspects, appearing at times as a sacred obligation to be neglected at grave peril, at other times as a sort of criminal activity entailing perils of equal gravity.

To account for this dual aspect of ritual sacrifice—the legitimate and the illegitimate, the public and the all but covert—Henri Hubert and Marcel Mauss, in their "Essay on the Nature and Function of Sacrifice," adduce the sacred character of the victim. Because the victim is sacred, it is criminal to kill him—but the victim is sacred only because he is to be killed. Here is a circular line of reasoning that at a somewhat later date would be dignified by the sonorous term *ambivalence*.

If sacrifice resembles criminal violence, we may say that there is, inversely, hardly any form of violence that cannot be described in terms of sacrifice—as Greek tragedy clearly reveals. It has often been observed that the tragic poets cast a glimmering veil of rhetoric over the sordid realities of life. True enough—but sacrifice and murder would not lend themselves to this game of reciprocal substitution if they were not in some way related. Although it is so obvious that it may hardly seem worth mentioning, where sacrifice is concerned first appearances count for little, are quickly brushed aside—and should therefore receive special attention. Once one has made up one's mind that sacrifice is an institution essentially if not entirely symbolic, one can say anything whatsoever about it. It is a subject that lends itself to insubstantial theorizing.

Recent studies suggest that the physiology of violence varies little from one individual to another, even from one culture to another. According to Anthony Storr, nothing resembles an angry cat or man so much as another angry cat or man. If violence did indeed play a role in sacrifice, at least at one particular stage of the ritual, we would have a significant clue to the whole subject. Here would be a factor to some extent independent of those cultural variables that are often unknown to us, or only dimly known, or perhaps less familiar than we like to think.

Once aroused, the urge to violence triggers certain physical changes that prepare men's bodies for battle. This set toward violence lingers on; it should not be regarded as a simple reflex that ceases with the removal of the initial stimulus. Storr remarks that it is more difficult to quell an impulse toward violence than to rouse it, especially within the normal framework of social behavior.

Violence is frequently called irrational. It has its reasons, however, and can marshal some rather convincing ones when the need arises. Yet these reasons cannot be taken seriously, no matter how valid they may appear. Violence itself will discard them if the initial object remains persistently out of reach and continues to provoke hostility. When unappeased, violence seeks and always finds a surrogate victim. The creature that excited its fury is abruptly replaced by another, chosen only because it is vulnerable and close at hand.

There are many indications that this tendency to seek out surrogate objects is not limited to human violence. Konrad Lorenz makes reference to a species of fish that, if deprived of its natural enemies (the male rivals with whom it habitually disputes territorial rights), turns its aggression against the members of its own family and destroys them. Joseph de Maistre discusses the choice of animal victims that display human characteristics—an attempt, as it were, to deceive the violent impulse: “The sacrificial animals were always those most prized for their usefulness: the gentlest, most innocent creatures, whose habits and instincts brought them most closely into harmony with man. . . . From the animal realm were chosen as victims those who were, if we might use the phrase, the most *human* in nature.”

Modern ethnology offers many examples of this sort of intuitive behavior. In some pastoral communities where sacrifice is practiced, the cattle are intimately associated with the daily life of the inhabitants. Two peoples of the Upper Nile, for example—the Nuers, observed by E. E. Evans-Pritchard, and the Dinka, studied at a somewhat later date by Godfrey Lienhardt—maintain a bovine society in their midst that parallels their own and is structured in the same fashion.

The Nuer vocabulary is rich in words describing the ways of cattle and covering the economic and practical, as well as the poetic and ritualistic, aspects of these beasts. This wealth of expression makes possible a precise and finely nuanced relationship between the cattle, on the one hand, and the human community on the other. The animals' color, the shape of their horns, their age, sex, and lineage are all duly noted and remembered, sometimes as far back as five generations. The cattle are thereby differentiated in such a way as to create a scale of values that approximates human distinctions and represents a virtual duplicate of human society. Among the names bestowed on each man is one that also belongs

to the animal whose place in the herd is most similar to the place the man occupies in the tribe.

The quarrels between various subgroups of the tribes frequently involve cattle. All fines and interest payments are computed in terms of head of cattle, and dowries are apportioned in herds. In fact, Evans-Pritchard maintains that in order to understand the Nuer, one must "*chercher la vache*"—"look to the cows." A sort of "symbiosis" (the term is also Evans-Pritchard's) exists between this tribe and their cattle, offering an extreme and almost grotesque example of the closeness that characteristically prevails between pastoral peoples and their flocks.

Fieldwork and subsequent theoretical speculation lead us back to the hypothesis of substitution as the basis for the practice of sacrifice. This notion pervades ancient literature on the subject, which may be one reason, in fact, why many modern theorists reject the concept out of hand or give it only scant attention. Hubert and Mauss, for instance, view the idea with suspicion, undoubtedly because they feel that it introduces into the discussion religious and moral values that are incompatible with true scientific inquiry. And to be sure, Joseph de Maistre takes the view that the ritual victim is an "innocent" creature who pays a debt for the "guilty" party. I propose an hypothesis that does away with this moral distinction. As I see it, the relationship between the potential victim and the actual victim cannot be defined in terms of innocence or guilt. There is no question of "expiation." Rather, society is seeking to deflect upon a relatively indifferent victim, a "sacrificeable" victim, the violence that would otherwise be vented on its own members, the people it most desires to protect.

The qualities that lend violence its particular terror—its blind brutality, the fundamental absurdity of its manifestations—have a reverse side. With these qualities goes the strange propensity to seize upon surrogate victims, to actually conspire with the enemy and at the right moment toss him a morsel that will serve to satisfy his raging hunger. The fairy tales of childhood in which the wolf, ogre, or dragon gobbles up a large stone in place of a small child could well be said to have a sacrificial cast.

Violence is not to be denied, but it can be diverted to another object, something it can sink its teeth into. Such, perhaps, is one of the meanings of the story of Cain and Abel. The Bible offers us no background on the two brothers except the bare fact that Cain is a tiller of the soil who gives the fruits of his labor to God, whereas Abel is a shepherd who regularly sacrifices the first-born of his herds. One of the brothers kills the other, and the murderer is the one who does not have the violence-outlet of animal sacrifice at his disposal. This difference between sacrificial and non-sacrificial cults determines, in effect, God's judgment in favor of Abel. To say that God accedes to Abel's sacrificial offerings but rejects the offer-

ings of Cain is simply another way of saying—from the viewpoint of the divinity—that Cain is a murderer, whereas his brother is not.

A frequent motif in the Old Testament, as well as Greek myth, is that of brothers at odds with one another. Their fatal penchant for violence can only be diverted by the intervention of a third party, the sacrificial victim or victims. Cain's "jealousy" of his brother is only another term for his one characteristic trait: his lack of a sacrificial outlet.

According to the Moslem tradition, God delivered to Abraham the ram previously sacrificed by Abel. This ram was to take the place of Abraham's son Isaac; having already saved on human life, the same animal would now save another. What we have here is no mystical hocus-pocus, but an intuitive insight into the essential function of sacrifice, gleaned exclusively from the scant references in the Bible.

Another familiar biblical scene takes on new meaning in the light of our theory of sacrificial substitution, and it can serve in turn to illuminate some aspects of the theory. The scene is that in which Jacob receives the blessing of his father Isaac.

Isaac is an old man. He senses the approach of death and summons his eldest son, Esau, on whom he intends to bestow his final blessing. First, however, he instructs Esau to bring back some venison from the hunt, so as to make a "savory meat." This request is overheard by the younger brother, Jacob, who hastens to report it to his mother, Rebekah. Rebekah takes two kids from the family flock, slaughters them, and prepares the savory meat dish, which Jacob, in the guise of his elder brother, then presents to his father.

Isaac is blind. Nevertheless Jacob fears he will be recognized, for he is a "smooth man," while his brother Esau is a "hairy man." "My father peradventure will feel me, and I shall seem to him as a deceiver; and I shall bring a curse upon me, not a blessing." Rebekah has the idea of covering Jacob's hands and the back of his neck with the skins of the slaughtered goats, and when the old man runs his hands over his younger son, he is completely taken in by the imposture. Jacob receives the blessing that Isaac had intended for Esau.

The kids serve in two different ways to dupe the father—or, in other terms, to divert from the son the violence directed toward him. In order to receive his father's blessing rather than his curse, Jacob must present to Isaac the freshly slaughtered kids made into a "savory meat." Then the son must seek refuge, literally, in the skins of the sacrificed animals. The animals thus interpose themselves between father and son. They serve as a sort of insulation, preventing the direct contact that could lead only to violence.

Two sorts of substitution are telescoped here: that of one brother for another, and that of an animal for a man. Only the first receives explicit

recognition in the text; however, this first one serves as a screen upon which the shadow of the second is projected.

Once we have focused attention on the sacrificial victim, the object originally singled out for violence fades from view. Sacrificial substitution implies a degree of misunderstanding. Its vitality as an institution depends on its ability to conceal the displacement upon which the rite is based. It must never lose sight entirely, however, of the original object, or cease to be aware of the act of transference from that object to the surrogate victim; without that awareness no substitution can take place and the sacrifice loses all efficacy. The biblical passage discussed above meets both requirements. The narrative does not refer directly to the strange deception underlying the sacrificial substitution, nor does it allow this deception to pass entirely unnoticed. Rather, it mixes the act of substitution with another act of substitution, permitting us a fleeting, sidelong glimpse of the process. The narrative itself, then, might be said to partake of a sacrificial quality; it claims to reveal one act of substitution while employing this first substitution to half-conceal another. There is reason to believe that the narrative touches upon the mythic origins of the sacrificial system.

The figure of Jacob has long been linked with the devious character of sacrificial violence. In Greek culture Odysseus plays a similar role. The story of Jacob's benediction can be compared to the episode of the Cyclops in the *Odyssey*, where a splendidly executed ruse enables the hero to escape the clutches of a monster.

Odysseus and his shipmates are shut up in the Cyclops' cave. Every day the giant devours one of the crew; the survivors finally manage to blind their tormentor with a flaming stake. Mad with pain and anger, the Cyclops bars the entrance of the cave to prevent the men from escaping. However, he lets pass his flock of sheep, which go out daily to pasture. In a gesture reminiscent of the blind Isaac, the Cyclops runs his hands over the back of each sheep as it leaves the cave to make sure that it carries no passenger. Odysseus, however, has outwitted his captor, and he rides to freedom by clinging to the thick wool on the underside of one of the rams.

A comparison of the two scenes, one from Genesis and the other from the *Odyssey*, lends credence to the theory of their sacrificial origins. In each case an animal intervenes at the crucial moment to prevent violence from attaining its designated victim. The two texts are mutually revealing: the Cyclops of the *Odyssey* underlines the fearful menace that hangs over the hero (and that remains obscure in the Genesis story); and the slaughter of the kids in Genesis, along with the offering of the "savory meat," clearly implies the sacrificial character of the flock, an aspect that might go unnoticed in the *Odyssey*.

Sacrifice has often been described as an act of mediation between a sacrificer and a "deity." Because the very concept of a deity, much less a deity who receives blood sacrifices, has little reality in this day and age, the entire institution of sacrifice is relegated by most modern theorists to the realm of the imagination. . . .

The two ancient narratives examined above make unmistakable reference to the act of sacrifice, but neither makes so much as a passing mention of a deity. If a god had intervened in either incident, its significance would have been diminished rather than increased, and the reader would have been led to conclude, in accordance with the beliefs common to late antiquity and to the modern world, that sacrifice has no real function in society. Divine intervention would have meant the elimination of the pervasive aura of dread, along with its firmly structured economy of violence. We would have then been thrown back upon a formalistic critical approach that would in no way further our understanding.

As we have seen, the sacrificial practice requires a certain degree of *misunderstanding*. The celebrants do not and must not comprehend the true role of the sacrificial act.

We have remarked that all victims, even the animal ones, bear a certain *resemblance* to the object they replace; otherwise the violent impulse would remain unsatisfied. But this resemblance must not be carried to the extreme of complete assimilation, or it would lead to disastrous confusion. In the case of animal victims the difference is always clear, and no such confusion is possible. Although they do their best to empathize with their cattle, the Nuers never quite manage to mistake a man for a cow—the proof being that they always sacrifice the latter, never the former. I am not lapsing into the trap of Lévy Bruhl's "primitive mentality." I am not saying that primitive man is less capable of making distinctions than we moderns.

In order for a species or category of living creature, human or animal, to appear suitable for sacrifice, it must bear a sharp resemblance to the human categories excluded from the ranks of the "sacrificeable," while still maintaining a degree of difference that forbids all possible confusion. As I have said, no mistake is possible in the case of animal sacrifice. But it is quite another case with human victims. If we look at the extremely wide spectrum of human victims sacrificed by various societies, the list seems heterogeneous, to say the least. It includes prisoners of war, slaves, small children, unmarried adolescents, and the handicapped; it ranges from the very dregs of society, such as the Greek *pharmakos*, to the king himself.

Is it possible to detect a unifying factor in this disparate group? We notice at first glance beings who are either outside or on the fringes of society: prisoners of war, slaves, pharmakos. In many primitive societies children who have not yet undergone the rites of initiation have no proper place in the community; their rights and duties are almost non-existent. What we are dealing with, therefore, are exterior or marginal individuals, incapable of establishing or sharing the social bonds that link the rest of the inhabitants. Their status as foreigners or enemies, their servile condition, or simply their age prevents these future victims from fully integrating themselves into the community.

But what about the king? Is he not at the very heart of the community? Undoubtedly—but it is precisely his position at the centre that serves to isolate him from his fellow men, to render him casteless. He escapes from society, so to speak, via the roof, just as the pharmakos escapes through the cellar. The king has a sort of foil, however, in the person of his fool. The fool shares his master's status as an outsider — an isolation whose literal truth is often of greater significance than the easily reversible symbolic values often attributed to it. From every point of view the fool is eminently "sacrificeable," and the king can use him to vent his own anger. But it sometimes happens that the king himself is sacrificed, and that (among certain African societies) in a thoroughly regulated and highly ritualistic manner.

It is clearly legitimate to define the difference between sacrificeable and nonsacrificeable individuals in terms of their degree of integration, but such a definition is not yet sufficient. In many cultures women are not considered full-fledged members of society; yet women are never, or rarely, selected as sacrificial victims. There may be a simple explanation for this fact. The married woman retains her ties with her parents' clan even after she has become in some respects the property of her husband and his family. To kill her would be to run the risk of one of the two groups' interpreting her sacrifice as an act of murder committing it to a reciprocal act of revenge. The notion of vengeance casts a new light on the matter. All our sacrificial victims, whether chosen from one of the human categories enumerated above or, *a fortiori*, from the animal realm, are invariably distinguishable from the nonsacrificeable beings by one essential characteristic: between these victims and the community a crucial social link is missing, so they can be exposed to violence without fear of reprisal. Their death does not automatically entail an act of vengeance.

The considerable importance this freedom from reprisal has for the sacrificial process makes us understand that sacrifice is primarily an act of violence without risk of vengeance. We also understand the paradox—not without its comic aspects on occasion—of the frequent references to

vengeance in the course of sacrificial rites, the veritable obsession with vengeance when no chance of vengeance exists:

For the act they were about to commit elaborate excuses were offered; they shuddered at the prospect of the sheep's death, they wept over it as though they were its parents. Before the blow was struck, they implored the beast's forgiveness. They then addressed themselves to the species to which the beast belonged, as if addressing a large family clan, beseeching it not to seek vengeance for the act that was about to be inflicted on one of its members. In the same vein the actual murderer was punished in some manner, either beaten or sent into exile.

It is the entire species *considered as a large family clan* that the sacrificers beseech not to seek vengeance. By incorporating the element of reprisal into the ceremony, the participants are hinting broadly at the true function of the rite, the kind of action it was designed to circumvent and the criteria that determined the choice of victim. The desire to commit an act of violence on those near us cannot be suppressed without a conflict; we must divert that impulse, therefore, toward the sacrificial victim, the creature we can strike down without fear of reprisal, since he lacks a champion.

Like everything that touches on the essential nature of the sacrificial act, the true distinction between the sacrificeable and the nonsacrificeable is never clearly articulated. Oddities and inexplicable anomalies confuse the picture. For instance, some animal species will be formally excluded from sacrifice, but the exclusion of members of the community is never mentioned. In constantly drawing attention to the truly maniacal aspects of sacrifice, modern theorists only serve to perpetuate an old misunderstanding in new terms. Men can dispose of their violence more efficiently if they regard the process not as something emanating from within themselves, but as a necessity imposed from without, a divine decree whose least infraction calls down terrible punishment. When they banish sacrificial practices from the "real," everyday world, modern theorists continue to misrepresent the violence of sacrifice.

The function of sacrifice is to quell violence within the community and to prevent conflicts from erupting. Yet societies like our own, which do not, strictly speaking, practice sacrificial rites, seem to get along without them. Violence undoubtedly exists within our society, but not to such an extent that the society itself is threatened with extinction. The simple fact that sacrificial practices, and other rites as well, can disappear without

catastrophic results should in part explain the failure of ethnology and theology to come to grips with these cultural phenomena, and explain as well our modern reluctance to attribute a real function to them. After all, it is hard to maintain that institutions for which, as it seems, we have no needs are actually indispensable.

It may be that a basic difference exists between a society like ours and societies imbued with religion—a difference that is partially hidden from us by rites, particularly by rites of sacrifice, that play a compensatory role. This difference would help explain why the actual function of sacrifice still eludes us.

When internal strife, previously sublimated by means of sacrificial practices, rises to the surface, it manifests itself in interfamily vendettas and blood feuds. This kind of violence is virtually nonexistent in our own culture. And perhaps it is here that we should look for the fundamental difference between primitive societies and our own; we should examine the specific ailments to which we are immune and which sacrifice manages to control, if not to eliminate.

Why does the spirit of revenge, wherever it breaks out, constitute such an intolerable menace? Perhaps because the only satisfactory revenge for spilt blood is spilling the blood of the killer; and in the blood feud there is no clear distinction between the act for which the killer is being punished and the punishment itself. Vengeance professes to be an act of reprisal, and every reprisal calls for another reprisal. The crime to which the act of vengeance addresses itself is almost never an unprecedented offense; in almost every case it has been committed in revenge for some prior crime.

Vengeance, then, is an interminable, infinitely repetitive process. Every time it turns up in some part of the community, it threatens to involve the whole social body. There is the risk that the act of vengeance will initiate a chain reaction whose consequences will quickly prove fatal to any society of modest size. The multiplication of reprisals instantaneously puts the very existence of a society in jeopardy, and that is why it is universally proscribed.

Curiously enough, it is the very communities where the proscription is most strictly enforced that vengeance seems to hold sway. Even when it remains in the background, its role in the community unacknowledged, the specter of vengeance plays an important role in shaping the relationships among individuals. That is not to say that the prohibition against acts of vengeance is taken lightly. Precisely because murder inspires horror and because men must be forcibly restrained from murder, vengeance is inflicted on all those who commit it. The obligation never to shed blood cannot be distinguished from the obligation to exact vengeance on those who shed it. If men wish to prevent an interminable outbreak of

vengeance (just as today we wish to prevent nuclear war), it is not enough to convince their fellows that violence is detestable—for it is precisely because they detest violence that men make a duty of vengeance. . . .

Vengeance is a vicious circle whose effect on primitive societies can only be surmised. For us the circle has been broken. We owe our good fortune to one of our social institutions above all: our judicial system, which serves to deflect the menace of vengeance. The system does not suppress vengeance; rather, it effectively limits it to a single act of reprisal, enacted by a sovereign authority specializing in this particular function. The decisions of the judiciary are invariably presented as the final word on vengeance.

Vocabulary is perhaps more revealing here than judicial theories. Once the concept of interminable revenge has been formally rejected, it is referred to as *private* vengeance. The term implies the existence of a *public* vengeance, a counterpart never made explicit. By definition, primitive societies have only private vengeance. Thus, public vengeance is the exclusive property of well-policed societies, and our society calls it the judicial system.

Our penal system operates according to the principles of justice that are in no real conflict with the concept of revenge. The same principle is at work in all systems of violent retribution.

Either the principle is just, and justice is therefore inherent in the idea of vengeance, or there is no justice to be found anywhere. He who exacts his own vengeance is said to “take the law into his own hands.” There is no difference of principle between private and public vengeance; but on the social level, the difference is enormous. Under the public system, an act of vengeance is no longer avenged; the process is terminated, the danger of escalation averted.

The absence of a judicial system in primitive societies has been confirmed by ethnologists.

If primitive societies have no tried and true remedies for dealing with an outbreak of violence, no certain cure once the social equilibrium has been upset, we can assume that *preventive* measures will play an essential role. Here again I return to the concept of sacrifice as I earlier defined it: an instrument of prevention in the struggle against violence.

In a universe where the slightest dispute can lead to disaster—just as a slight cut can prove fatal to a hemophiliac—the rites of sacrifice serve to polarize the community’s aggressive impulses and redirect them toward victims that may be actual or figurative, animate or inanimate, but that are always incapable of propagating further vengeance. The sacrificial

process furnishes an outlet for those violent impulses that cannot be mastered by self-restraint; a partial outlet, to be sure, but always renewable, and one whose efficacy has been attested by an impressive number of reliable witnesses. The sacrificial process prevents the spread of violence by keeping vengeance in check.

Our original proposition stands: ritual in general, and sacrificial rites in particular, assume essential roles in societies that lack a firm judicial system. It must not be assumed, however, that sacrifice simply “replaces” a judicial system. One can scarcely speak of replacing something that never existed to begin with. Then, too, a judicial system is ultimately irreplaceable, short of a unanimous and entirely voluntary renunciation of all violent actions.

When we minimize the dangers implicit in vengeance we risk losing sight of the true function of sacrifice. Because revenge is rarely encountered in our society, we seldom have occasion to consider how societies lacking a judicial system of punishment manage to hold it in check.

In primitive societies the risk of unleashed violence is so great and the cure so problematic that the emphasis naturally falls on prevention. The preventive measures naturally fall within the domain of religion, where they can on occasion assume a violent character. Violence and the sacred are inseparable. But the covert appropriation by sacrifice of certain properties of violence—particularly the ability of violence to move from one object to another—is hidden from sight by the awesome machinery of ritual.

Primitive societies are not given over to violence. Nor are they necessarily less violent or less “hypocritical” than our own society. Of course, to be truly comprehensive we ought to take into consideration *all* forms of violence, more or less ritualized, that divert a menace from nearby objects to more distant objects. We ought, for instance, to consider war. War is clearly not restricted to one particular type of society. Yet the multiplication of new weapons and techniques does not constitute a fundamental difference between primitive and modern warfare. On the other hand, if we compare societies that adhere to a judicial system with societies that practice sacrificial rites, the difference between the two is such that we can indeed consider the absence or presence of these institutions as a basis for distinguishing primitive societies from “civilized” ones. These are the institutions we must scrutinize in order to arrive, not at

some sort of value judgement, but at an objective knowledge of the respective societies to which they belong.

Religion invariably tries to subdue violence, to keep it from running wild. Paradoxically, the religious and moral authorities in a community attempt to instill nonviolence, as an active force into daily life and as a mediating force into ritual life, through the application of violence. Sacrificial rites serve to connect the moral and religious aspects of daily life, but only by means of a lengthy and hazardous detour. Moreover, it must be kept in mind that the efficacy of the rites depends on their being performed in the spirit of *pietas*, which marks all aspects of religious life. We are beginning to understand why the sacrificial act appears as both sinful and saintly, an illegal as well as a legitimate exercise of violence. However, we are still far from a full understanding of the act itself.

Primitive religion tames, trains, arms, and directs violent impulses as a defensive force against those forms of violence that society regards as inadmissible. It postulates a strange mixture of violence and nonviolence. The same can perhaps be said of our own judicial system of control.

There may be a certain connection between all the various methods employed by man since the beginning of time to avoid being caught up in an interminable round of revenge. They can be grouped into three general categories: (1) preventive measures in which sacrificial rites divert the spirit of revenge into other channels; (2) the harnessing or hobbling of vengeance by means of compensatory measures, trials by combat, etc., whose curative effects remain precarious; (3) the establishment of a judicial system—the most efficient of all curative procedures.

We have listed the methods in ascending order of effectiveness. The evolution from preventive to curative procedures is reflected in the course of history or, at any rate, in the course of the history of the Western world. The initial curative procedures mark an intermediary stage between a purely religious orientation and the recognition of a judicial system's superior efficiency. These methods are inherently ritualistic in character, and are often associated with sacrificial practices.

The curative procedures employed by primitive societies appear rudimentary to us. We tend to regard them as fumbling efforts to improvise a judicial system. Certainly their pragmatic aspects are clearly visible, oriented as they are not toward the guilty parties, but toward the victims—since it is the latter who pose the most immediate threat. The injured parties must be accorded a careful measure of satisfaction, just enough to appease their own desire for revenge but not so much as to awaken the desire elsewhere. It is not a question of codifying good and evil or of in-

spiring respect for some abstract concept of justice; rather, it is a question of securing the safety of the group by checking the impulse for revenge. The preferred method involves a reconciliation between parties based on some sort of mutual compensation. If reconciliation is impossible, however, an armed encounter can be arranged in such a manner that the violence is wholly self-contained. This encounter can take place within an enclosed space and can involve prescribed regulations and specifically designated combatants. Its purpose is to cut violence short.

To be sure, all these curative measures are steps in the direction of a legal system. But the evolution, if indeed evolution is the proper term, is not continuous. The break comes at the moment when the intervention of an independent legal authority becomes *constraining*. Only then are men freed from the terrible obligations of vengeance. Retribution in its judicial guise loses its terrible urgency. Its meaning remains the same, but this meaning becomes increasingly indistinct or even fades from view. In fact, the system functions best when everyone concerned is least aware that it involves retribution. The system can—and as soon as it can it will—reorganize itself around the accused and the concept of guilt. In fact, retribution still holds sway, but forged into a principle of abstract justice that all men are obliged to uphold and respect.

We have seen that the “curative” measures, ostensibly designed to temper the impulse toward vengeance, becomes increasingly mysterious in their workings as they progress in efficiency. As the focal point of the system shifts away from religion and the preventive approach is translated into judicial retribution, the aura of misunderstanding that has always formed a protective veil around the institution of sacrifice shifts as well, and becomes associated in turn with the machinery of the law.

The procedures that keep men’s violence in bounds have one thing in common: they are no strangers to the ways of violence. There is reason to believe that they are all rooted in religion. As we have seen, the various forms of prevention go hand in hand with religious practices. The curative procedures are also imbued with religious concepts—both the rudimentary sacrificial rites and the more advanced judicial forms. *Religion* in its broadest sense, then, must be another term for that obscurity that surrounds man’s efforts to defend himself by curative or preventative means against his own violence. It is that enigmatic quality that pervades the judicial system when that system replaces sacrifice. This obscurity coincides with the transcendental effectiveness of a violence that is holy, legal, and legitimate successfully opposed to a violence that is unjust, illegal, and illegitimate.

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