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Shakespeare, Renan and Weber: an interdisciplinary study of the violence paradigm and what it means to law and the nation-state

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In the introduction of this disquisition, I formulated the research questions concerning the definition and the interpretation of violence within the scope of nation-state founding. We have now reached the stage to formulate answers utilizing the conclusions of the previous chapters. The first question inquired into the nature of the relationship between Renan's will to form a nation and Shakespearean tragic violence. To answer this coherently, we will have to bring to memory the description Renan gave of the concept of will and we will have to shortly reiterate the diverse shapes and characteristics of violence or, more precisely, the violent process.

Renan described the will as a soul, a spiritual principle. I paraphrase, it is the shared and positive attitude of a group of people determined to reach a goal together: the founding of a nation. Renan goes on stating that this will has two aspects: past and present. In other words, this joint will is kept afloat by an accumulation of past memories as well as by present experiences. The past segment of this collectiveness consists of *commemorating* experiences as well as of the *determination to forget* past affronts or resentments (within the group or targeting the group). According to Renan, the collective will is carried by both a present process and the collective memory.

What is the exact relation between these issues and violence? Among scholars, there is a consensus on the fact that violence lies at the origin of nations. However, so far, little consideration has been given to a possible correlation between the precise course of the violent process and the ultimate outcome: the final form the nation-construct assumes. I illustrated this lack of awareness in chapter 2 with the Weber quote.¹

Let us turn our attention to the first play discussed: *Macbeth*. In this play, we find the baseline measurement of the birth of a nation. Obviously, where there is no nation, neither a state-construct along the lines of Weber's definition is possible. We see the violence paradigm at work in this drama. The violence spirals out of control from violence on a limited scale to radical violence in the first acts. Indeed, violence overshadows all other aspects of life and even the protagonist himself is overwhelmed by it. He becomes violence (act 3). It changes character, becoming all-out destructive radical non-tragic violence.

1 Weber quotes Trotsky, who had said that every state is founded on violence, with which Weber agreed, unaware of the difference between his concept of violence and Trotsky's.

Thereupon (act 5), a tremendous sorrow overwhelms Macbeth, a mourning over all that is broken and lost; despair almost. He decides to engage with this situation.² At this moment, the violence changes from radical non-tragic into radical tragic violence because of Macbeth's altered attitude. He grows in stature and rises above himself and in one last overwhelming effort of strength, he leaves the violent universe. Violence is defeated by a defeated Macbeth.³ At that tragic moment, the nation is born (proclaimed by Malcolm in so many words) as the resultant of the violence paradigm.

During this process, the complete palette of violent forms is presented: initially violence on a limited scale, becoming radical non-tragic violence, then radical tragic violence, ending with the promise of the regulation of it: violence controlled by monarchical rule.

We may conclude that Renan's collective will consists not just of a spiritual principle as described above, but also – and I dare say: even more so – of a collectively experienced necessity to jointly protect the group against primordial radical violence. Furthermore, this felt necessity is also prompted by the sorrowful tragic episode. Here Renan's account of the will springs from the violent experiences from the violence paradigm.

In consequence, now the above question can be answered. Renan's will to form a nation can, supplemental to the spiritual principle, be identified as the resultant of the tragic violence paradigm. The content of the collective will primarily springs from those moments of tragic crisis when the witnesses thereof experience solidarity, dignity and involvement, distinctive of tragedy. In these moments of grief and solemnity, the urgent need is felt to rein in radical violence. In addition, it should be noted that these intense episodes are the exact moments suited to be commemorated in the future and renew the realization that all group members indeed are united in one nation. As pointed out by Renan, a shared religion or a shared race are at most of secondary importance and we may now add: especially when set off against the results and effects of the violence paradigm.

Yet another important issue needs to be mentioned regarding tragedy. In this thesis it is shown that Shakespearean tragedy is no didactical tool and it does not testify to a particular (educational, ethical, religious, political) narrative. The process of radical violence knows no morality, theology, or ideology:⁴ it is just radical. Its essence is the destruction of everything presenting itself: man, his institutions, his edifices, his constructs, leaving man dazed and bereft, but fully aware of his bare, basic existential needs. When violence

2 In the chapter I explained the difference between *nihilistic despair* and *tragic despair*: the nihilistic approach to tragic crisis entails a dissociation from the situation because it is utterly inescapable, hopeless, temporal anyway. The tragic approach shows a vehement engagement with the tragic crisis because it is utterly inescapable, hopeless and temporal.

3 I remark that only a Shakespeare can make this plausible.

4 Autocrats who are under the misguided impression that they can employ *and* control radical violence might use these terms to justify their actions.

becomes radical, it stops being instrumental. The ultimate logical result of this is that trying to curb it by legal means becomes futile and fruitless. Many a statesman or ruler made that miscalculation, considering themselves to be the helmsman of radical violence – supposing it would remain their instrument. This, as we know now, is a mistake. The radicality of out-of-hand violence rules out its being instrumental. Here, the philosophical question might be raised: do people exploit radical violence, or does radical violence consume people? In *Macbeth*, we saw that radical violence indeed consumed Macbeth: he erred in the same way.

Renan is a great advocate of the secularity of public affairs and hence also the founding of a nation should be on that same basis: preferably without metaphysics or theology. He also recognizes the “brutal basis” of nation forming, as he calls it. It is therefore no unreasonable conclusion that he, in a graduated way and without calling it thus, acknowledges the status of radical (tragic) violence as the necessary (albeit tragic) basis of a nation. To rephrase this in a more Renanian vein: one should realize that, to achieve a sustainable co-existence in a nation-context, the path via overcoming radical tragic violence is far to be preferred to a nation based on religion, race, or any ideology.

The second question reads: what does Shakespearean tragedy show us in terms of genesis, containment and/or the curbing of violence? Are there different types of violence within the focus area of the nation-state? If so, which?

As was shown in the discussion of the three tragedies, out of – and as a consequence of – the successful completion of the violence paradigm, a new perspective towards a (new or renewed) construct evolves; an awareness of the necessity to curb radical violence from then on. Thus, with the recognition of radical tragic violence, Renan, in the same sweep, endorses state-monopolized violence and indeed his oeuvre assents to the necessity of institutionalized violence (the type 2 violence).

The perspective towards improvement of constructs is invitingly shown after a tragic crisis. In these precise moments a type 1 violence (preferably of the tragic subgroup) blends into a type 2 violence after which eventually a fully developed type 2 violence emerges. Here we see the state component of the nation-state construct develop.

An important point of interest is that, in the above-mentioned instances in this chapter, Renan’s and Weber’s visions of nation and state are closely interlinked and firmly related to each other. I hold that they are tied together by Shakespeare’s violence paradigm: Renan’s will not just being a spiritual principle, but also – specifically in the tragic moment – the collectively experienced necessity to protect a group against radical non-tragic violence. Here, and I reiterate, Renan, in a graduated way, endorses state-monopolized violence; his oeuvre assents to the necessity of institutionalized violence (the type 2 violence) – the type of violence Weber advocates. Thus, Renan and

Weber are mediated by the violence paradigm of Shakespeare: their ideas on nation and state are bound and come together in the violence paradigm.

Important identifiers for the evolution of violence (from radical non tragic violence via radical tragic violence into state-controlled violence or type 2 violence) are: an attitudinal change of the protagonist(s) regarding violence and environment, a realization of horizontality of man's existential needs, and lastly: those involved commit themselves (again) to society edged on and inspired by these changes.

We witness both these changes and the emergence of the state component of the nation-state in a prominent way in *Hamlet*. After Hamlet has dictated his will and testament, Fortinbras and Horatio jointly execute Hamlet's last wishes: a division of state power in a legislative section and an executive section and therewith the curbing of violence. With *The Tragedy of Hamlet*, we enter the sphere in which the very fundamentals for the codification of law are forged.

A separation of powers is of the utmost importance. In the Hamletian case, this can be translated into the very germinal beginning of the control of state power for also state monopolized violence (type 2 violence) needs to be controlled. Men are no angels,⁵ as we know. A solution to this predicament is to control power by separating it into hierarchical independent segments, preferably ruled by codified law. This development facilitates the transition from a power-state to one under the rule of law. And Hamlet does precisely that.

If this step is not taken, the state is in real danger of succumbing to radical violence and ultimately destroying itself, having no or insufficient response to perverting internal or external forces. We saw this happen in *Julius Caesar* and – more recently – in the Nazi-state of Himmler et al. Neither Weber nor Renan paid sufficient attention to this necessary separation of power and/or control mechanisms. They have been and are, however, of tremendous importance in igniting the discussion regarding nation and state and the development of a defining apparatus for the concepts.

The toilsome way towards a civilized nation-state under the rule of law can be witnessed in these consecutive tragedies. From a violent tribal community where the law of the jungle and *sippenhaft* rule, via a tentative conception of a sense of nationhood, to an organized nation-state. Regrettably, in the last play, the nation-state is not able to safeguard or preserve its institutions –

5 I here refer to Madison: "If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and the next place, oblige it to control itself" J. Madison, *The Federalist Papers*, no 51, Writings, p. 295.

which happens when the violence paradigm is misconceived, disregarded, or the process is unfulfilled.

The last question deals with the relation between violence and the *degeneration* of the nation-state. In *Hamlet*, we hear the prince complain about the degenerate state of his fellow countrymen in act 1. In *Julius Caesar*, we see the degeneration of social and political institutions. Before answering the above question, we have to establish whether these types of degeneration are identical. Tragedy is always the portrait of a process of transition. In *Hamlet*, we see a cascade of these transitions in the form of progress from a degenerate state into a fledgling nation-state under the rule of law. In *Julius Caesar*, we witness the collapse of a highly developed nation-state. The format of the degeneration is the same: dealing with the breakdown of an old system that is perverted, heralding the advent of a tragic crisis. The developments of the respective crises, however, are in reverse directions: in *Hamlet*, the birth of a nation-state is seen and in *Julius Caesar*, a nation-state descends into civil war. In both cases, the violence paradigm shows radical violence. However, eventually, the outcomes of both plays differ. By now, we know that in *Hamlet's* case, the radicality of the violence is of the tragic sort and in *Julius Caesar's* case, the violence is of the non-tragic type. It is therefore self-evident that both instances are dissimilar. How can we distinguish, in the chaotic and stressful situation of a pending crisis, between tragic and non-tragic violence? Can we at all? The radical aspects of violence are easy to recognize because in that case the juridical and social instruments, the public toolbox, is unable to contain, curb, or stop the violence. But then, once gone off anchor and haywire, how might we, in the midst of that process, recognize both types of radical violence: distinguish the non-tragic from the tragic. This seems to be an important question in light of the difference in the ultimate result.

I noted down the indicators for the pending disaster of a looming violence paradigm in my chapters on *Julius Caesar*: a tendency towards self-interest instead of communal interest, laws are no longer obeyed or respected, communal values lose meaning, there is moral confusion in the communal leader and consumerism, and the obvious reciprocity of dependencies between classes disappears. However, the most important identifier is when existential needs are no longer embedded in the social codes of society and are therefore no longer able to develop and stay vital. We have seen Brutus and Cassius fail miserably in recognizing this and acting upon it, trying to vitalize their concepts of freedom and liberty in society. However, Hamlet was successful. He was able to do so by the grace of the fact that he lived through a monumental tragic crisis; he was able to discern.

Knowledge⁶ of the phases and faces of violence is of importance to keep our body politic healthy and see the dangers. We need Shakespeare's tragedies

6 And with this, of course, I mean the brand of tragic wisdom that Hamlet gives evidence of.

as a lasting source of inspiration to think about violence: how violence might derail and how indispensable awareness thereof is for the maintenance of our socio-political constructs. The tragedies of *Macbeth*, *Hamlet* and *Julius Caesar* continue to be icons that inform us about this.

In the last play discussed, we are shown that, if the systematics of the violence paradigm are not adequately and successfully finished the result will be detrimental. An entire nation-state (in the case of *Julius Caesar* a fully matured republican nation-state construct) can deteriorate into legal primitivism. Shakespeare's warning is a universal one and it is crystal clear: a nation-state construct is in need of continuous attention and repair.

Weber and Renan were right, stating that all forms of communities are based on violence, Nietzsche was right when he realized that violence was the vital driving force behind renewal and improvement, but above all Shakespeare was right when he showed us how the tragic creative driving force lends us the freedom and the dignity man needs in building and renewing his nation-states. It is up to us all to answer that call.