Justice and “Divine Violence” in Melville’s *Billy Budd*

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Reading Herman Melville’s *Billy Budd* as a revenge text, this paper examines the actions of the three protagonists against each other, including John Claggart’s revenge against Billy Budd, the reason for which are matters for speculation, and Billy’s violence towards Claggart in front of Captain Vere, and Vere’s insistence on enforcing the martial law to judge Billy. I argue that law is operating politically, however just it seems, and maintain that Billy’s act of violence towards Claggart is in Benjamin’s words “divine violence,” which is on the side of justice, as opposed to law. Comparing different interpretations of this posthumous novella regarding revenge and violence, this paper revisits what deconstruction has to say about divine violence, attempting to shed light on the relationship between justice and divine violence. I argue that there is something “devilish” in Melville’s text, refusing to settle down on any single, close interpretation, and that “inner diabolism” (in D. H. Lawrence’s words) is even critical of Billy’s innocence.

Keywords: Melville, Billy Budd, justice, violence, revenge, law, Benjamin, Derrida

“The history which bears and determines us has the form of a war rather than that of a language: relations of power, not relations of meaning.”

Michel Foucault¹

This paper examines how law and justice are related to violence by engaging in a close reading of Herman Melville’s (1819-1924) posthumous novella *Billy Budd, Sailor (an Inside Narrative)* (1891; 1924), suggesting that it may be read as a revenge text which problematizes the operation of law and the possibility of justice.² *Billy Budd* describes a controversial trial on an accidental murder, which is generally regarded as a personal revenge around 1797, on a battleship. Billy Budd, the innocent murderer, is executed under martial law.³ Informed by Walter Benjamin’s critical analysis of violence, this paper maintains that Billy’s killing should be understood as divine violence which is an actualization of justice rather than revenge which is a disguise of justice. By considering the “diabolical power” of the narrative, this paper attempts to offer a new reading of the text, arguing that the ambiguity of the narrative subverts any interpretation that fixes the meaning of Melville’s writings.

Set in the French revolutionary wars with Britain (1793-1801) during the year of the “Great Mutiny,” *Billy Budd* tells a story in 30 chapters which involves primarily three protagonists: the “Handsome Sailor” Billy Budd, who is enlisted from a merchant ship the *Rights-of-Man* to a battleship the *Bellipotent*. The battleship is commanded by the British army Captain the Honorable Edward Fairfax (“Starry”) Vere, who is depicted as an intellectual. The *Bellipotent*’s Master-at-arms John Claggart is represented as evil and full of mystery, whereas

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Billy Budd is innocent. The latter is accused by Claggart of committing the offence of mutiny. When Billy is asked by Captain Vere to defend himself against Claggart's accusation, he is "tongue-tied" (19.376). "The next instant, quick as the flame from a discharged cannon at night" (19.376), Billy's right arm suddenly "shoots out" (19.376) on Claggart's forehead, and kills him in an instant. Billy is sentenced to death according to the martial law and is hanged shortly after the trial. The novella does not simply "end with Billy's life" (28.405), but finishes with three endings in separate chapters: a conflict with the French which causes Vere's death, an official army publication (a "naval chronicle of the time," 29.406) which "reports" the story by making Claggart a hero who has discovered Billy's plot and is "vindictively stabbed" (29.407) by Billy's "sheath knife" (29.407), and lastly, a posthumous ballad "Billy in the Darbies" (30.408) imagined to be sung from his prison cell before the execution.

If we take *Billy Budd* as a story primarily motivated by the three protagonists' actions against others, we may argue that there are three crises in the narrative. The first is a plot devised by Claggart against Billy. Being "secretive" and full of "malice" (12.356), his actions may be regarded as a materialization of "the gall of Claggart's envy" (13.356). His nature is "surcharged with energy as such natures almost invariably are, what recourse is left to it but to recoil upon itself and, like the scorpion for which the Creator alone is responsible, act out to the end the part allotted it" (12.356). The mechanism of the auto-poisoning effect from a recoiling tail alludes both to a scorpion and to Satan, who allegorizes the figure of revenge in Milton's *Paradise Lost*, which the narrator silently refers to. Satan says:

Revenge, at first though sweet,
Bitter ere long back on itself recoils.⁴ (John Milton, *Paradise Lost*, 9.171-2)

The double nature which Satan sees in revenge is what the narrator alludes to in Claggart, who is bitter, envious, and rancorous. After the soup-spilling incident described in Chapter 10, the narrator talks about Claggart's passion which needs to be fed in Chapter 13: "The retaliation is apt to be in monstrous disproportion to the supposed offense; for when in anybody was revenge in its exactions aught else but an inordinate usurer? (13.357)" The language of money economy is used when revenge is discussed by the narrator. Retaliation, which means both revenge and payback, refers to the *lex talionis* or the eye-for-an-eye logic assumed in business activities. Revenge claims to have a "just" return, an exact eye-for-an-eye payback, instead of a high-yield profit, as a usurer would demand. But the use of the metaphor, revenged as "an inordinate usurer" to charge for the "interest" of the offence, cannot be a just act, because usury expects interest. In fact, the term usury implies injustice. Ironically, the eye-for-an-eye logic is put forth in the Old Testament, whereas usury is regarded as a sin in Christianity. Revenge is contingent even though it claims that it is subject to the just law of the *lex talionis*. The redundancy in language, instanced in the qualifier "inordinate" in "inordinate usurer" and the ambiguous use of a rhetorical question in the second part of a sentence, both add to the excessive "monstrosity" of both the subject of the sentence and the way the sentence works. Language possesses a diabolical power which subverts what the sentence means or opens up contradictory interpretations. The logic in the first part of the sentence is not followed by the second part, despite the sophisticated rhetoric and the correct use of grammar.

Furthermore, the passage recalls *The Merchant of Venice*, where, as a revenge plot, the usurer Shylock wins a law case against Antonio who has agreed to let one pound of his flesh "be cut off and taken" (I.iii.145) if Shylock's interest-free loan to his friend Bassanio is not returned in three months.⁵ Shylock says he hates

Antonio "for he is a Christian" (I.iii.38) who "lends out money gratis, and brings down the rate of usance" (I.iii.40-41) which Antonio disapprovingly calls "interest" (I.iii.47). As a Jew, Shylock's "scared nation" (I.iii.44) is despised by Antonio who always "rails" (I.iii.44) him. Shylock's revenge fails because law is interpreted politically (by Bassanio's wife Portia disguised as a lawyer), and that his Jewish identity is taken as "an alien" (IV.i.345) in the court—unlike other characters, Shylock is often called the "Jew" instead of by his name. Ironically, though taking a pound of the guarantor's flesh may be "in monstrous disproportion to" what he has lent, Shylock does not charge for interest in the bond in question. In any case, as a usurer, the payback that Shylock gains are comparatively smaller than Antonio the merchant whose profit must be "in monstrous disproportion to" the cost—"I do expect return/Of thrice three times the values of this bond" (I.iii.155), Antonio says. Ironically, it is the state that does usury, not Shylock. The implied criticism of the unjust and political nature of law in the play challenges the trial that the narrator later depicts in *Billy Budd*.

Before moving on to the second and third moments of crises, I would like to draw on Claggart's character as a figure of revenge whose source is from Satan. The soup-spilling incident which is said to induce Claggart's passion and his revenge is actually not the cause, but an excuse of his subsequent accusation against Billy. His malice does not seem to have a cause. Revenge is a concept created for his causeless act against the innocent Billy. Claggart is "the direct reverse of a saint" (11.352), and if one wants to understand this "peculiar human creature," one should prepare to traverse an epistemological gap. "To pass from a normal nature to him one must cross 'the deadly space between'" (11.352). The narrator stresses that "this is best done by indirection" (11.352). The narrative of *Billy Budd* itself is as equivocal. These uncertainties include the co-existence of the plural endings and ambiguity of the narrator's identity and stance. The novella's title, *Billy Budd, Sailor*, indicates that Billy is a type. He also first appears as such, instead of a specific individual, who, as the opening sentence says "In the time before steamships, or then more frequently than now, a stroller along the docks of any considerable seaport would occasionally have his attention arrested by a group of bronzed mariners, man-or-war's men or merchant sailors in holiday attire, ashore on liberty" (1.321). Unlike a 19th century omnipresent story-teller, the narrator of this "inside narrative" situates himself in the second paragraph as a passerby who recalls the Handsome Sailor' type:

A somewhat remarkable instance recurs to me. In Liverpool, now half a century ago, I saw under the shadow of the great dingy street-wall of Prince's Dock (an obstruction long since removed) a common sailor so intensely black that he must needs have been a native African of the unadulterate blood of Ham—a symmetric figure much above the average height. (1.321)

His story is gradually told by a more specific indication of the name of the ships and their captains' names by the end of the first chapter. In the course of story-telling, when diversion is necessary, the narrator would use such strategies as admitting to committing a literary sin so that he can be pardoned for doing so:

In this matter of writing, resolved as one may to keep to the main road, some bypaths have an enticement not readily to be withstood. I am going to err into such a bypath. If the reader will keep me company, I shall be glad. At the least, we can promise ourselves that pleasure which is wickedly we said to be in sinning, for a literary sin the divergence will be. (4.334)

Or as a preface to the three endings, "The symmetry of form attainable in pure fiction cannot so readily be achieved in a narration essentially having less to do with fable than with fact. Truth uncompromisingly told will always have its ragged edges; hence the conclusion of such a narration is apt to be less finished than an architectural finial" (28.405). These claims of telling an historical event as "truth uncompromisingly told" to

the readers are skillful. And the narrator's uncertainty to what has happened also contributes to the double nature of the narrative itself. It is not possible to tell an event without a hidden agenda and give it "faithfully" (28.405), as the plural endings suggest. They are listed as three endings reflecting different political stances.⁶ We may take D. H. Lawrence's comment on Hawthorne as the key to understanding Melville: "You must look through the surface of American art and see the inner diabolism of the symbolic meaning" (*Studies in Classic American Literature*, 89).⁷ The ambiguity of the narrative seems to be driven by the inner diabolism of the narrative. The pair of words used by Lawrence, "diabolism" versus the "symbolic meaning," itself is like the recoiling tail of a scorpion. And if the diabolic power resides in the language of the narrative, its ambiguity possesses the potential of undoing all the protagonists, including not just Claggart and Captain Vere, but the innocent Billy, whose innocence is criticized by the narrative. The complexity of the debates demonstrated in the literature of *Billy Budd* shows that if we take one interpretation of the text, say, Billy's hanging symbolizes the hanging of Jesus Christ, there are other readings, no less convincing, which would challenge this one. It is perhaps due to the ambiguity of *Billy Budd* which subverts any definite interpretation. The "inner diabolism" disallows any single reading in the symbolic meaning.⁸

Returning to the crises: The action which triggers the second crisis is performed by Billy to Claggart in response to the latter's accusation, as Captain Vere demands him to do. And the third action is the trial and the subsequent hanging of Billy, as insisted by Vere. Two out of these three actions may be regarded as acts of revenge, whereas the second, Billy's violent act, is different. It is generally interpreted as revenge, but may be understood as a spontaneous and innocent action. Of course, the issue is complicated by Claggart's putative homosexuality and Vere's attraction towards Billy, which Eve Sedgwick has discussed.⁹ This paper, however, is interested in showing that only the first and the third may be revenge, whereas Billy's violence is not. The violence which Billy is incarnated in response to a false accusation can be understood as, in Walter Benjamin's words, "divine violence" which may be seen as just.

We may consider Zarathustra's definition of revenge in Nietzsche's *Thus Spoke Zarathustra* (1883-1891) as a criticism to revenge's unjust nature. For Zarathustra, revenge is "the will's antipathy towards time and time's 'It was.'"¹⁰ "The spirit of revenge" drives the revenger to seek punishment as a pretext for revenge because of his inability to go backwards. Revenge is thus conservative, reactionary, serving on the side of the concept of linear time. Claggart's "revenge" (13.357), presented as a "retributive righteousness" (13.358), which is driven by Claggart's "deep" "hidden" envy, may be understood as such a figure described by Zarathustra. The figure of a vengeful man with such emotions is a "man of *ressentiment*" described by Nietzsche in *On the Genealogy of Morals* (1887).¹¹ *Ressentiment* as an emotion produced in a culture which has been dominated by Christianity creates in the modern subject a deep and hidden identity which demands a secret revenge. While Claggart's revenge may be driven by *ressentiment*, Billy's reaction to Claggart's accusation should be understood as belonging to different nature: Billy's violent act, I argue, is on the side of divine violence which is spontaneous, pure, noble, and just. Revenges (in Nietzsche's sense) in the novella happen when Claggart is motivated by a hidden passion or when the legal system tries to claim legitimacy. Billy's violence is not a private revenge motivated by an anxiety of what has happened in the past, but a divine and just violence. The ambiguity of these revenges also contributes to the inner diabolism of the narrative.

The "indirection" or "bypaths" necessary to understand the nature of Billy's violence may have already been hinted as in the text. The narrator depicts the death of Claggart as, in Captain Vere's opinion, a divine execution. Vere, catching the surgeon's arm, exclaims to the latter "convulsively," "It is the divine judgment on

Ananias! Look!" (19.378) and a moment later, when alone, "Struck dead by an angel of God! Yet the angel must hang!" (19.378) The identifying of Claggart with Ananias betrays Vere's view of his master-at-arms' death as an absolute just act, just as what the Biblical Ananias has received (*Acts* 5: 1-10). Vere's first spontaneous, convulsive judgment is "corrected" by his second solitary reflection, though no less convulsive. Vere's siding with the law seems to be a refusal to acknowledge his own bodily uncontrollable convulsion, a compulsion to control his bodily uncontrollability, just as Billy's inability to speak (his stutter) is replaced by an act of violence.

I will analyze the nature of law and its pretext of achieving justice in the third crisis, the law's enforcement, as revenge to Billy's just act before returning to Billy's just "execution" (27.402, 29.406) of Claggart. For Zarathustra, any claim in the just nature of punishment is actually a way of desiring revenge, and is only a reaction against the "it was" which the revenger cannot accept (Nietzsche, *Zarathustra* 162). This may be understood as the conditions operating in the trial, which is what the law does to Billy. During the trial for the case of the death of Claggart, Captain Vere declares that the law which Billy is subject to is the Articles of War, which only concerns Billy's deed instead of his intention. Though he makes clear that it is a martial law, he does not state clearly what the implications are: The martial law is an exemption or a suspension of the customary law. Vere says,

To steady us a bit, let us recur to the facts. In war-time at sea, a man-of-war's man strikes his superior in grade, and the blow kills. Apart from its effect, the blow itself is, according to Articles of War, a capital crime. Furthermore... "Aye, sir", emotionally broke in the officer of marines, "in one sense it was. But surely Budd purposed neither mutiny nor homicide". (21.388)

Vere's "judgment" is contradicted "emotionally" by the officer of marines, whose argument presupposes that law needs to consider the intention of the accused. Vere responds by demarcating the scope of the martial law that he is obliged to enforce, "before a court less arbitrary and more merciful than a martial one that plea would largely extenuate" (21.388), which is a reiteration of his earlier "utterance" (21.384). He adds that, "Quite aside from any conceivable motive actuating the master-at-arms, and irrespective of the provocation to the blow, a martial court need in the present case confine its attention to the blow's consequence which consequence justly is to be deemed not otherwise than as the striker's deed" (21.384).

Martial law considers no motive but "consequence." And it is in a state of emergency that the army takes over. The customary law is suspended, which puns on the means of the "execution" (27.402, 28.406) of Billy: hanging. At the same time, Billy's stuttering when asked to defend himself creates an effect in the narrative as a force of suspense. While acknowledging the fact that the martial law that Vere follows and enforces is not necessarily universal, he says that, "the law of the Mutiny Act" (21.389) and war share the same spirit, as a child resembles its father, which he repeats in the end of his speech. He admits that there is an initial injustice in the very method of enlisting sailors, including Billy:

In His Majesty's service—in this ship indeed—there are Englishmen forced to fight for the King against their will. Against their conscience, for aught we know. Though as their fellow creatures some of us may appreciate their position, yet as navy officers, what reck we of it? Still less recks the enemy. Our *impressed* men he would fain cut down in the same swath with our volunteers. As regards the enemy's naval *conscripts*, some of whom may even share our own abhorrence of the regicidal French Directory, it is the same on our side. (21.389, my emphasis)

The French and the British fight for those whom they do not necessarily agree with. To judge according to the

letter of the law (instead of the spirit of the law) and to impress people to fight regardless of their political views require the same technique of reading. Vere ends his speech: "War looks but to the frontage, the appearance. And the Mutiny Act, War's *child*, takes after the *father*. Budd's intent or non-intent is nothing to the purpose" (21.389, my emphasis). Vere's lengthy speech attempts to justify law's blindness to one's "intent" takes up a paternal metaphor, suggesting a lack of "naturalness" within law, but at the same time, he also shows that he is aware of the injustice in law which is shared with the war that he is fighting. There is a certain coldness in Vere's judgement, which makes him a representative of law (and injustice), and at the same time, he is also a figure of fatherly love and of repressed erotic love to Billy when the latter is tongue-tied, which, unconsciously or consciously, is not considered by Vere in the trial. Punning on Latin "real" or "true," the name "Vere" also suggests "veer," turning away or avoiding something. I maintain that Captain Vere is not innocent in the choice of an interpretation of law which condemns Billy. Concerning Truth, Nietzsche asks,

Supposing Truth is a woman—what then? Are there not grounds for the suspicion that all philosophers, insofar as they were dogmatists, have been very inexpert about women? That the gruesome seriousness, the clumsy obtrusiveness with which they have usually approached truth so far have been awkward and very improper methods for winning a woman's heart? What is certain is that she has not allowed herself to be won...¹² (*Beyond Good and Evil*, 192)

Unlike Nietzsche who suggests that Truth is a woman, which is plural and fluid, Vere's attitude towards truth is absolute, homogeneous, and is something to be possessed. Like Nietzsche's view of Truth, the meaning of Vere's name itself is not dogmatic.

Perhaps also due to the inner diabolism of the narrative, not only is Vere's name not coherent, but also his fate: The injury and the subsequent death of Vere in a successful battle where the French ship *Athée* is captured in the conflict is ironic, or even uncanny. Uncanny, because his last murmured words, "Billy Budd, Billy Budd" (29.406), repeat Billy's stutter, a linguistic impotency which is re-enacted in Vere's convulsion and death. Perhaps Vere's death wish is driven by his awareness of the injustice of his judgment, which, according to Barbara Johnson, is already included in the legal context that he chooses.¹³ It is war about which Vere is thinking and it is politics which governs his way of thinking. Choosing to be unjust in the name of law's justice, Vere does not question law and the war that he has been fighting, no matter how intellectual he is.

Johnson's essay on *Billy Budd* sheds light on the act of judging which Captain Vere pretends to be painfully obliged to perform. Johnson shows that what is commonly seen as an act, a judgment, possesses a performative function. She argues that Vere can be understood as a judge who kills by his sophistication of rhetoric, in contrast to Billy Budd who kills by not being able to speak (his stutter as a "linguistic defect") (592). The context of judgment chosen by Vere is already a judgment (593), which maintains Johnson, since "Judgment... would seem to ground itself in a suspension of the opposition between textuality and referentiality" (595). For textuality allows plural readings, referentiality restricts the possibility of reading multiple interpretations of a text, reducing to one authorial understanding of it. Or to borrow Roland Barthes's terms, the former is a "writerly" text and the latter "readerly."¹⁴ Johnson maintains that "the function of judgment is to convert an ambiguous situation into a decidable one" (596) by reducing a "difference 'within'" into a "difference 'between.'" The former is a division within a human subject, which problematizes the very idea of an entity, instanced by Billy's conscious submissiveness and unconscious hostility and by Vere's understanding of father and military authority. The latter is the difference between individual, opposite categories, illustrated by the difference between Claggart and Billy, between Nature and the King, and between

authority and criminality (596). Perhaps Billy's stutter betrays his innocence, an indicator of his state of being as a divided subject, a difference "within." Even for someone as innocent as Billy, his self is divided within.

The function of law, Johnson argues, is to "misread" the "difference 'within'" as a "difference 'between'" (596). Political authority requires law to function as such. Law is violent and oppressive in the sense that it reduces difference "within" to difference "between," and the politics in the function of law is always in disguise, also a misreading of seeing human subject as an abstract and average man. Johnson asserts that *Billy Budd* is a political allegory. The legal order, which attempts to submit "brute force" to "forms, measured forms," can only eliminate violence by transforming it into the final authority (599). While justifying his decision, Vere's speech at the same time implies that violence is necessary to preserve the operation of law. The theatricality of hanging Billy Budd is essential for Vere because it achieves a political end. If Claggart is unjust to Billy, Captain Vere may be more unjust to the innocent Handsome Sailor. Vere is not innocent in his choice for he wants to maintain the legitimacy of the court and the sovereignty of the English King whom the sailor-soldiers serve probably against their will. The pragmatic reasoning of Vere unveils the very nature of law and its relationship with justice. Johnson argues that law has nothing to do with justice: "judgment is thus for Vere a function neither of individual conscience nor of absolute justice but of 'the rigor of martial law' (21.387) operating through him" (590), though she does not seem to think that Vere actually admits the injustice of war and law. Not only do martial laws operate under the pretext of a state of exception, all laws do so by claiming to judge according to general principles without acknowledging the impossibility of functioning outside such an exceptional state.

The themes of Johnson's 1979's essay, namely, how a legal act of judgment is in fact framed by political considerations in general and capital punishment in particular, are important issues in deconstruction. These topics which Derrida returns to appeared in "Force of Law" (1989), around a decade after Johnson's essay. Here, Derrida defines deconstruction as "destabilizing, complicating, or recalling the paradoxes of values like those of the proper and of property in all their registers, of the subject, and thus of the responsible subject, of the subject of right, the subject of law, and the subject of morality, of the juridical or moral person, of intentionality and so forth" ("Force of Law," 235).¹⁵ Derrida's analysis is relevant, but it might be useful to start with Benjamin's "Critique of Violence" (1920-1921), an earlier essay which Derrida responds to in "Force of Law," but might not be compatible with Johnson's deconstructive reading of *Billy Budd*.¹⁶ I maintain that Johnson's essay should be supplemented by Benjamin's discussion of violence.

In "Critique of Violence," Benjamin distinguishes two functions of violence: law-making and law-preserving. "Lawmaking is power making, and, to that extent, an immediate manifestation of violence. Justice is the principle of all divine end-making, power the principle of all mythical law-making" (295). Unlike the violence which sides with law-preserving power which is "mythical," reactive, and reactionary, "pure divine violence" (300) is "revolutionary" (300), and that makes justice possible. Benjamin's statement aptly describes the murder committed by Billy Budd: "All mythical, lawmaking violence, which we may call *executive*, is pernicious. Pernicious, too, is the law-preserving, administrative violence that serves it. Divine Violence, which is the sign and seal but never the means of sacred execution, may be called sovereign violence" (300, my emphasis). Justice may be possible in divine violence, represented in a spontaneous act of violence which is misunderstood as revenge. If we consider Billy's involuntary action as a form of divine violence which is just, his stutter may be understood not as an inability to speak, but a refusal to be involved in language which is always judgmental. Judgment is violent.

The critique that deconstruction offers to understand justice and law was discussed in "Before the Law" (1982).¹⁷ Derrida argues that the law has no content and it guards its own nothingness. One cannot read the law but enter into a relationship with the law's representative.¹⁸ He argues that Kafka's "Before the Law" also appears in the posthumously published novel *The Trial* as a quoted parable, where it shows the framing of the text, which means that "the same content gives rise to an entirely different work. The difference from one work to the other 'is the movement of framing and referentiality'" ("Before the Law," 213). Law cannot be read for its referentiality and any attempt to limit it is a suspension. The marine officers who want to pardon Billy attempt to read law's textuality whereas Vere reads for referentiality.

Derrida has offered a critical reading of Benjamin's "Critique of Violence" in the second part of "Force of Law" in 1990, where he argues that Benjamin's idea of the two types of violence, the law-making and law-preserving violence, are not as separated as Benjamin wishes to maintain.¹⁹ Derrida seems to disregard Benjamin's thesis that there is a possibility for justice even in divine violence ("Force of Law," 293). Benjamin's insistence on the distinction between the two types of violence is contradicted by Derrida's deconstructive reading (which is the driving spirit in Johnson's essay). But Melville's narrative seems to be more ambiguous or equivocal than Johnson's criticism can capture. On the one hand, deconstructive reading is hostile to any absolute decision, because that involves the establishment of binary opposition, which is desirable to resist the overpowering of the working of law. On the other hand, Benjamin's concept of divine violence implies absolute exceptionality, but paradoxically justice is only possible via divine violence. Divine violence seems to be more diabolical than its name because while it may side with justice, it does not allow any rational and coherent depiction. The diabolism of the text even mocks Billy's innocence despite his just act which incarnates divine violence.

Billy's tragedy is that he is not under the protection of law which assumes his rights. He is responsible not to the law on board of the *Rights-of-Man* but the martial law on the *Bellipotent* which requires him to answer, to be answerable to his actions, irrespective of his intention. It is in this light that Billy Budd's stutter is insightful. But even if he is subject to the law of the former, it is also problematic, because to make responsibility the precondition of rights would create another injustice: Those who are regarded as not possessing the ability of taking responsibilities will have no rights, and that leads to oppressions like colonialism, slavery, imperialism, sexism, and so on. Vere is the representative of the reactionary British King, who fights with France, whose revolution was achieved by first suspending and later executing King Louis XVI after a trial. Law is on the side of oppressive politics, which seems to be implied in the title of Vere's battleship: *Bellipotent* means either "beauty and power" or "war and power." Billy's killing of Claggart has a political implication: That killing is a version of killing the British King if the sailors on the *Bellipotent* follow Billy, who came from a ship called *Rights-of-Man*, a title implying the project of the creation of human subjectivity during the enlightenment which both the US and France took up in 18th century. Foucault argues in *The Order of Things* that the category of man is a "recent invention" since around a century and a half ago.²⁰ What demands deconstruction perhaps is the very category of man. We must not believe that the trader the *Rights-of-Man*, and the military navy the *Bellipotent* present different conditions to Billy. To Sedgwick, "both are hierarchical, and the symbiosis between the two systems makes any attempt to disjoin them symbolically a difficult one" (93, fn.3). The only difference between the two ships is not that the rights of man in the former is asserted whereas in the latter is not, but rather, that the very idea of manhood itself is on the side of the unjust power. Captain Vere's death as the result of the encounter with the *Athée* seems to complete the picture: His insisting on executing

Billy Budd as a Christ figure and his "accidental" death may be unconsciously following the ascetic ideals valued by Christianity, as criticized by Nietzsche. Vere has been fighting the wrong war from the beginning to the end.

While the above arguments may be critical enough, Billy is executed on the *Bellipotent*. Revenges are carried out by Claggart and the law, which is asserted by Vere to hang Billy, whom Vere nevertheless imagines as an innocent angel of God bringing justice via divine violence. The narrative of *Billy Budd* does not allow for a single interpretation of these terms. And this ambiguity is again empowered by the inner diabolism of the text. Siding with justice, Billy's hitting of Claggart may be understood as an actualization of divine violence. On the other hand, Melville's text possesses a diabolical power which sides with what Benjamin calls the divine violence, which breaks down symbolic meanings, established ways of thinking and such reactionary thoughts as revenge.

Notes

1. Michel Foucault, "Interview," *Power/Knowledge*, ed. Colin Gordon (Sussex: Harvester Press 1980), 114.
2. Herman Melville, "Billy Budd, Sailor," *Billy Budd, Sailor and Other Stories*, ed. Harold Beaver (Harmondsworth: Penguin, 1985), 317-409. Unless otherwise stated, citations are taken from this edition, which reprints the Harrison Hayford and Meerton M. Sealts's Reading Text.
3. On Billy's innocence, see Ann Smock, "Tongue-Tied Blanchot, Melville, *des Forêts*," *MLN* 11.5: *Comparative Literature Issue* (December 1999): 1037-61.
4. John Milton, *Paradise Lost* (Norton Critical Editions), ed. Gordon Teskey (London: W. W. Norton & Company, 2004), Book 9, lines 171-2.
5. William Shakespeare, *The Merchant of Venice* (The Arden Shakespeare—Third Series), ed. John Drakakis (London: The Arden Shakespeare, 2010).
6. William Spanos argues that the narrator is an American whose target audience is Americans. See Spanos, *The Exceptionalist State and the State of Exception: Herman Melville's Billy Budd, Sailor* (Baltimore: The John Hopkins University Press, 2011), 75-79.
7. D. H. Lawrence, *Studies in Classic American Literature* (Harmondsworth: Penguin, 1981), 89, emphasis original. It is improbable for Lawrence to have read *Billy Budd* (rediscovered in 1924), but I contend that his comment is applicable to Melville's works, including this novella.
8. Geraldine Murphy, "The Politics of Reading *Billy Budd*," *American Literary History* 1.2 (Summer 1989): 361-82 for a discussion of the politics of the critical reading history of *Billy Budd* in during the 1930s to mid-1960s. Murphy argues that the interpretation of the novella materialized the antagonism between the old and new liberalism in the U.S., namely, old left, or the early American Studies movement, represented by F. O. Matthiessen, and the anti-Communist liberalism, or the New York Intellectuals, represented by Lionel Trilling and Richard Chase. The former is regarded as "acceptance" reading where as the latter "resistance." My paper stresses the implication of the motif of revenge which is neglected by these critics. Also, while placing the reading of literary texts into the political contexts when it is interpreted is important, the ethics of such a reading is equally, if not more, crucial. See J. Hillis Miller, *The Ethics of Reading: Kant, de Man, Eliot, Trollope, James, and Benjamin* (New York: Columbia University Press, 1987).
9. Eve Kosofsky Sedgwick takes *Billy Budd* as "a document from the very moment of the emergence of a modern homosexual identity" (127), arguing that although the story starts with a "glamorized, phosphorescent romantic relations" between Vere and Billy, it ends "the disappearance of the homosexual" (127). Vere joins the "greater majority, the dead that Claggart has already joined" (127), even though of his name implies "minority constellation" (127). See Sedgwick, *Epistemology of the Closet* (Berkeley: University of California Press, 1990), 91-130.
10. Friedrich Nietzsche, *Thus Spoke Zarathustra*, trans. R. J. Hollingdale (Harmondsworth: Penguin, 1969), "Of Redemption," 162.
11. Nietzsche, "On the Genealogy of Morals," *On the Genealogy of Morals and Ecce Homo*, trans. Walter Kaufmann and R. J. Hollingdale (New York: Vintage Books, 1989), First essay, Part 13, 44.
12. Nietzsche, "Beyond Good and Evil: Prelude to a Philosophy of the Future," *Basic Writings of Nietzsche*, trans. Walter Kaufmann (New York: Modern Library, 2000), 179-246 (192).
13. Barbara Johnson, "Melville's Fist: The Execution of *Billy Budd*," *Studies in Romanticism* 18.4: *The Rhetoric of Romanticism* (Winter 1979): 567-99.
14. Roland Barthes, *S/Z: An Essay*, trans. Richard Miller (New York: Hill and Wang, 1974), 4-5.

15. Jacques Derrida, "Force of Law: The 'Mystical Foundation of Authority,'" *Acts of Religion*, ed. Gil Anidjar, trans. Mary Quaintance (New York and London: Routledge, 2002), 228-98 (235).
16. Walter Benjamin, "Critique of Violence," *Reflections*, trans. Edmund Jephcott, ed. Peter Demetz (New York: Schocken Books, 1986), 277-300.
17. Derrida, "Before the Law," *Acts of Literature*, ed. Derek Attridge (New York and London: Routledge, 1992), 181-220.
18. Derrida's interest in examining the nature of literature and its relationship with the law dates back to "The Law of Genre" (1979), *Acts of Literature*, ed. Derek Attridge (New York and London: Routledge, 1992), 221-52, which engages with Blanchot's *Madness of the Day* (1981) and analyzes how the law operates as a literary language, and how literature operates according to the "law of the law of genre" ("The Law of Genre," 227).
19. Around half a year after a colloquium "Deconstruction and the Possibility of Justice" where Derrida read the first part under the title "Of the Right to Justice/From Law to Just," the second part was delivered in a colloquium called "Nazism and the 'Final Solution': Probing the Limits of Representation." See the translator's notes in Derrida, "Force of Law," 230.
20. Foucault, *The Order of Things: An Archaeology of the Human Sciences* (New York: Vintage, 1994), 386.

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