



DOGVILLE, OR, THE DIRTY BIRTH OF LAW

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ABSTRACT While avoiding the pretence of producing an exhaustive reading of such a complex object as Lars Von Trier's *Dogville*, this article selectively uses the film to explore the process of the emergence of a new legality and a new set of legal relationships within a community. Two superimposed layers of meaning, the biblical and the mythic, are considered and their interaction with two different reasons, the symbolic and the economic, is suggested and explored. The categories of 'critical being', by Fitzpatrick and Tuitt, and *homo sacer*, by Agamben, are taken as useful tools to understand such interaction and the connected dynamics of inclusion and exclusion. Throughout the article, it is argued that the perspective of the sacrifice, as framed especially by Girard, is useful to highlight an anthropological mechanism that can be retrieved in *Dogville*.

KEYWORDS *Dogville* • *homo sacer* • inclusion/exclusion • law • sacrifice

THE MANY LIVES OF A DOG: INTRODUCTION

If a director is to be assessed on the basis of the feelings, interpretations and reactions that his or her work is able to excite, then Lars Von Trier is to be counted among the masters of the art. His movies address eternal anthropological, moral and theological issues, unmistakably expressing them in the most shocking form – in a way that, despite the diversity of style and genre, is reminiscent of Ingmar Bergman. Here, I would like to use his recent film *Dogville* (2003) to explore some mechanisms inherent to the social dimension of law and, particularly, to the process of the emergence of legality and legal relationships. However, as a matter of caution, I should say I would oppose any temptation to reduce *Dogville* to any single, planned allegory: the *thesis novel* can never be a true work of art, while *Dogville* clearly *is* a true one. I reject the pretence of offering any overarching or exhaustive reading of the film.

To suggest some interpretations *Dogville* seems able to support, we might just think of a Christic parable: a moral *excursus* into the Bible in the alternative – as seen from the Christians' point of view – between the Old Testament (morality of retribution) and the New Testament (morality of forgiveness: see Ramlow, 2004), and a discourse on psychological perversion (see Abella and Zilkha, 2004) and voyeurism (Bainbridge, 2004). Of course, there is also a political interpretation that sees in *Dogville* a harsh criticism of American life (for a critical review of these interpretations see Fibiger, 2004). Although I am not at all interested in entering such polemics on Von Trier's activism, it is in itself meaningful that, in the US, *Dogville* has been received – and, consequently, rejected – as merely and entirely anti-American. This may be because the movie tells a story that is set in small-town America in the age of the Great Depression, the Dust Bowl era of the beginning of the 1930s, full of desperate, ragged people. However, to extrapolate the message 'bad people in America' would really be a poor hermeneutical result. Here, I propose to venture into some anthropological mechanisms which have important consequences for the power, economy, law and society of human groups. Once we analyse *Dogville* specifically from the perspective of law, we may identify a *mise-en-scène* of the interplay among elements such as custom, tradition, explicit and implicit normativity, the creation of new law, property, the cleavage between love and contract, and, especially, the management of the human body through violence. This attempt is of course exposed to the criticism of ahistorical generalization. However, it should be clear that the aim of the article is neither to formulate new general social laws nor to naturalize sociological categories by decontextualizing them, but rather to analyse how certain explicit and implicit narratives are developed and played out (see Heller, 2004) in a story which is located at the crossroads of different interpretive traditions.

THE SAD STORY OF DOGVILLE

If it were just an argumentative essay, *Dogville* would not be so powerful and interesting as it is. On the contrary, the story has a number of dimensions, overtones and implications that should be carved out to be fully appreciated in their interaction. As in much of Von Trier's cinema, this movie has a remarkable aesthetics with deep semantic implications, too. Entirely shot in a small single indoor studio in Denmark, *Dogville* has a bare-bones scenography which is theatrical and cerebral at the same time. It is as simple – and as challenging – as a series of childish chalk outlines on a stage floor with an alternatively black and white side-scene and a few spot lights. The minimalism of the set, together with the crafty movements of the camera, offers the viewer a sort of panoptical vision of the story, with incredibly dramatic effects: because we have such a panoptic view every event seems limpid to us but, in fact, in a classic play of asymmetries of

knowledge, it eventually turns out that everything we thought we knew was wrong. The effect is enhanced by the unique style of the narrator's voice (John Hurt), who expresses a mixed feeling of participation and distance, imbued with bitter irony – in between *Verfremdung* and *participant objectivation*.

Here is in brief the 'sad tale of the township of Dogville', as the narrator introduces us to it. Dogville is a very small town in the Rocky Mountains, where life is quiet and still, people are poor but praise themselves as good and honest folks. Suddenly and unexpectedly, a young, apparently high-class woman named Grace, played by the beautiful Nicole Kidman, arrives at Dogville while escaping from a bunch of gangsters. Initially, the inhabitants are not particularly keen to 'give sanctuary to a fugitive', because they would be exposed to the risk of retaliation from the gangsters. However, the town's young want-to-be writer and philosopher Tom Edison Jr (Paul Bettany) – who sometimes gives 'moral lectures' for the benefit of the community and has a 'mission' to educate Dogville on the subject of 'acceptance' and 'openness' – believes that Grace absolutely needs protection, and manages to have the town accept the fugitive on a temporary basis, something like a testing period.

The first impact is not very positive, because Grace finds it hard to interact with the townfolk, who perceive her as an alien and are reluctant to accept her. Under Tom's suggestion, Grace offers to help them in any kind of daily business, but Dogvillians refuse any such offer: they have a pretty clear 'we don't ask nothin' from nobody' and 'there isn't anything we need done' philosophy. Gradually, however, Tom succeeds in having them accept that Grace should do 'something that you would like done but that you don't think is necessary'. Under this heading, Ma Ginger (Lauren Bacall) sets Grace to weed the wild gooseberry bushes. Soon, others follow her example: Ben (Zeljko Ivanek) has Grace cleaning the garage where he lives, Vera (Patricia Clarkson) accepts her as a baby-sitter and a tutor of her children; Tom Edison Sr (Philip Baker Hall) has her minding his health, and above all his hypochondria, while the blind Jack (Ben Gazzara) has her listening to his day-long talks about the features of light; Martha (Siobhan Fallon) takes her as an assistant to play the organ at the mission house; Bill (Jeremy Davies) as a teacher; and Olivia (Cleo King) as a nurse for her disabled daughter June (Shauna Shim). Even the most reluctant, Chuck (Stellan Skarsgård), finds work for Grace in the orchard and has her help with fruit picking, too. Grace throws herself relentlessly into work, but above all into a sense of friendship and comradeship, in view of full acceptance and inclusion in the community. There is also a kind of chaste engagement between her and Tom Jr.

After some months, and 'for the first time in living memory', the police come to Dogville. They come not just once, but three times: first with a missing person notice about Grace, then with another poster which declares

Grace a 'dangerous person', and third with an FBI patrol. Now, to host and hide Grace at Dogville is not only materially risky for the community; it is against the law, too. But, instead of sending her away from the town, Dogvillians quickly move in the direction of transforming her spontaneous help into forced work. Her day gets scheduled, her wage is cut. The community begins to exploit her harder and harder: Grace now travels from one chore to another, from job to job, helping out in any sort of activity. Not only do the tasks become more and more difficult and the work harder and harder, but, in an escalation of oppression and abuse, she also becomes the object of sexual assault from most townspeople of the male sex. When Grace decides to renounce the 'privilege' of being hidden at Dogville, the truck-driver Ben pretends to help her escape, but it is only to abuse her and trick her, so as to intensify her captivity in the town. Eventually, Grace becomes the town's slave expected to submit to her own rape, exploitation, and abuse of any kind.

Such a tragic and perturbing crescendo leads to an even more terrifying final reversal. Called by Tom Jr, who decides to earn some money that way,¹ the gangsters arrive at Dogville. The inhabitants probably expect something like an execution; but Grace turns out to be no less than the beloved daughter of the boss gangster (James Caan). After a complex side discussion with her father on the issues of morality, power, judgement and arrogance, Grace concludes that 'if there is any town this world would be better without, this is it'. At the boss's command, the gangsters exterminate the whole village and burn it down. Grace personally kills Tom Jr ('some things you have to do yourself'). The only living being who escapes the slaughter is the town's dog, Moses, whose survival is decried as 'astonishing, a miracle'.

THE TWO FACES

From the beginning, we learn that the town of Dogville has two faces, which reveal themselves alternatively through 'tiny changes of light'. These 'tiny changes' hint at the Dogvillians' – as well as any human being's – fundamental moral ambivalence: on the one hand the town is a poor but dignified rural community, seeming an Icarian idyll² far from the corruption of the city; on the other hand, it is a ragged place full of vices, ignorance, bestial appetites and gross behaviours. There is a degree of ambiguity in the skilfully imperfect language that is spoken in town. Expectancies of a bucolic and peaceful environment are betrayed by the very characteristics of the environment: like many other American towns, Dogville has a central Elm Street, 'though no elm had never cast a shadow in Dogville' – a detail that signals that something is wrong with it. Very early on, Chuck, the most reluctant inhabitant to accept Grace's presence at Dogville, bitterly declares to her: 'this town is rotten, from the inside out' – which we haven't seen yet but will definitely see. The very theatrical isolation of the town is symbolic.

While it is well known that fully closed economic systems are almost impossible and that modern economy is based on translocal exchange practices, most scenographic details are meant to stress Dogville's isolation from the rest of the world (the abandoned mine, the dusty trinkets in the local store).

According to a classic moralist literature, which also lies at the core of modern philanthropy, material and moral misery go hand in hand. As Cabet wrote in 1838: 'There is no crime nor instance of human misery which is not provoked and sustained by inequality of wealth, by property and by money' (quoted in Johnson, 1974: 54). The influence of conditions of material poverty in antisocial behaviour is explicitly recalled in the slideshow during the end titles of the film, which documents in an aesthetically straightforward way the meaning of misery in American history, stridently joined with the chorus 'We are the young Americans' from David Bowie's famous song. One particularly important reflection on the relationship between im/morality and economic conditions, of which Dogville can be seen as an instantiation, is the one developed by Bertold Brecht. Although the movie has been paralleled (e.g. by Ramlow, 2004) to *The Caucasian Chalk Circle*, the masterpiece where Brecht's poetics of *Verfremdung* is fully developed, the main character Grace is in fact much more strongly reminiscent of *Saint Joan of the Stockyards* (1930), Brecht's version of Jeanne d'Arc, rather than the Caucasian Grusha. Both 'heroines', Joan and Grace, have a great idealistic mission of making the world a better place: they both start from the assumption that most behaviours that make things worse are done by people who are not responsible for their deeds because they are basically victims of the circumstances. Both arrive at a state of disillusion where their ideal mission does not vanish but turns instead into a potentially destructive weapon.

Because of the central ambivalences just mentioned, one may also think that the whole relationship between Grace and the town is based on a huge misunderstanding. The enlightened may think that the problem lies in false consciousness, unstated divergent assumptions, or lack of communication. Acting as a half-baked Socrates, Tom Jr decides to have Grace talk to the whole community and plead her case. But to be faced with your bad deeds does not provoke forgiveness per se – it more likely generates anger. That the persecutor becomes angry with his victim precisely when he is slapped on the face with the truth of oppression and exploitation is not an unknown phenomenon. To the community people's ears, the truth told by Grace sounds like 'copious lies' and 'accusations ready', and the debate quickly shifts from Grace's status to Tom's position: is he with or against his own community?

FOUNDATIONS OF GRACE

Grace's point of view remains probably the most mysterious of all. We understand that some inner transformation is going on, unrecorded by her

words, especially when she protests her feelings of infinite gratitude and self-humiliation. As the events unfold, she is the most passive and most afflicted character – until, suddenly, at the end, her decision turns out to be determinant, in an unexpected and merciless way. Nonetheless, for most of the story Grace must undergo and endure a number of *assaults to her Self* (see Goffman, 1961), a number of crude moral injustices, humiliations, degradations and rapes. She exhibits such a weak reaction to all of this that the viewer cannot help but become more and more shocked and offended.

Furthermore, Grace does not appear to explicitly oppose the events. She seems at most unwilling, reluctant, but too weak in her measures, at times mysteriously neutral, always quick to justify her own oppressors on the basis of an evangelic attitude radically oriented towards forgiveness. Because, properly speaking, there is no struggle for domination and submission, Grace appears as the exact opposite of a rebel: in fact, an anti-rebel.³ Hence, worrying questions are evoked: is the process of oppression consensual? Are the oppressed fundamentally collaborating in their own oppression? But we should be careful before giving quick, generalized answers. At a certain point, Grace's spirit is described as being in a 'trance-like state that descends on animals whose lives are threatened', which may offer a clue to understanding the character of a true condition of psychological oppression.⁴ But here we are not mainly concerned with psychology.

Once we move the focus of enquiry from the evolution of Grace's character to the whole social process at stake, an even more complex picture emerges. We may think of *Dogville* as a discourse about – or, as Tom Jr would say, an 'illustration' of – the creation of law, the emergence of a new legality within a social group. This is the classic jural theme of the 'foundations' of law; yet, *Dogville* seems rather to speak about the existence of what we might call 'un-founded law', or, to borrow a phrase from Fitzpatrick (2002: 242), a 'beleaguered foundation'. We should make it clear that it is possible to entertain this reading of the movie only from a radically pluralist perspective on law (see Macdonald, 2005, 2006), whereby law itself is better conceived not as a set of rules or institutions but as a set of relationships and an ensemble of reciprocal, often implicit commitments among people. If we accept that law is a way of symbolizing human interaction, and we recognize that important parts of such interaction are never formalized but remain in the field of the implicit,⁵ we can examine the story of *Dogville* as a process by which a cluster of human relationships change and converge towards a new shape: we might call this new shape a 'system', if it pleases us, but we should be aware that what is really there are living relationships among human beings. A number of authors have attempted to illuminate the mystery of the foundation of law, from Pascal (1669), who first claimed that 'it is the custom in its entirety that founds the law', to very different contemporary authors such as Schmitt, Derrida, Arendt, Bourdieu, Fuller, Agamben and Fitzpatrick. For even when we identify foundation with

custom, the problem remains to be clarified what is custom, and in what sense can it be foundational – and where does the foundation of custom itself lie? Custom may in fact be in itself merely another myth about the system.

What has just been said does not displace Grace from her central position in the story, but it illuminates that story in a new way. Grace is the perfect example of a ‘critical being’ (Fitzpatrick and Tuitt, 2004). This category is particularly meaningful in showing that the central human subject of a legal system is always ‘critical’ for the system itself. As ‘critical’ comes from the verb *κρίνω* (‘I discern, distinguish’), the critical being is properly understood as the subject who makes possible every symbolic distinction and difference. There are two levels that mark such a process.

At the first level, Grace’s criticality is linked to her being a stateless person (in the sense of Arendt, 1966), a refugee and an outsider. The antinomy between the settled and the mobile subject is a classic antinomy which has marked sociology and sociological knowledge almost since their birth. In his *excursus* on the stranger, Simmel (1908) clearly described the dissension that exists between the two types of the migrant and the settled, and he claimed that the features of modernity strongly favour the settled. Indeed, the modern technological and economic world allows the settled to enjoy all the advantages of mobility, but it does not symmetrically permit mobile subjects to enjoy the advantages of settledness. In Western history, persecutions of mobile people have been periodically initiated by the settled, who also develop a narrative about the anthropological inferiority of the migrant (an even more paradoxical situation is that of the trans-Atlantic slave trade: the African slaves were *deported* from their homeland and then *hated* for being outsiders within American society). It suffices to recall here that the Latin verb *erro* (-are) means to go around, to wander, and only much later did it come to mean to go wrong, to err.

The opposition of settled and mobile subjects is of fundamental importance for the settled society, because it constitutes the original basis of inclusion and exclusion from the group – despite the fact that many modern ideologies claim to associate inclusion with other logics (e.g. the logic of status and rights). What makes a system possible – whether it be ‘modern’ or not – is not a simple operation of inclusion and exclusion of people from a group, but a more complex operation of *foundational exclusion*. This point is clearly shown by Agamben (1995) through his category of *homo sacer*. The condition of the *homo sacer* – in ancient Roman law, that being who is not sacrificed but can be safely killed by anyone⁶ – raises the question: how is it possible to be simultaneously inside and outside the group? It is clearly a paradoxical position, which shows that exclusion and inclusion are neither simply opposite to one another nor mutually exclusive. A crucial political role is played by the ‘zones of indistinction’ (Deleuze, 1988; see also the concept of ‘exceptionality’ in Agamben, 2003), which are zones of

contradiction. The narrator of the story informs us that, during her stay, Grace's physical aspect undergoes a change, so that 'those alabaster hands turned into a pair of hands that could have belonged to anyone in any little rural community'. But, to be true, it is crystal clear that Grace will never become a Dogvillian: she will never become one of them. When it is time to choose between her and the community, the whole community – including her fiancé Tom Jr – will unite against her.

At the second level, the critical being discerns – and is used to separate – different modes of existence within society. *Dogville* is about slavery: the slave is herself a *homo sacer* and is, as Tuit (2004) writes, 'the protagonist of law'. In one of the culminating scenes of the movie, Grace is forced to wear the 'escape-prevention mechanism' designed by the failed engineer Bill ('who' – the narrator remarks ironically – 'had lately improved his engineering skills'), which consists of a monstrous dog collar with a bell just in front of the face, welded to a heavy iron wheel. The chain with the collar is the symbol of slavery and, above all, it is the symbol of the foundation of the slave system. There is no foundation of such a system, properly speaking, but only a symbol of that foundation, which, however regrettable and hateful it may look, is a highly effective one. Since the activity of tracing a boundary is completely different from the boundary traced, the lack of foundation becomes the founding act. As Bourdieu (1997: §3) claimed following Pascal, unfounded acts of violence are what found the law. Although, as Arendt (2000) suggested, the relation that *authority* entertains with foundation may not be entirely explained in terms of violence, the corollary holds that no founding act can be judged in the terms and categories of the system set up by that very act: the founding act is located on a threshold. This position is not different from that of the critical being: as a founding subject, the critical being cannot be fully part of the system it fundamentally contributes to setting in place.

Foucault claimed that within the panoptic system the subject is not simply *regulated* by the discipline; rather, it is *produced* by disciplinary practices. Indeed, Grace is increasingly disciplined, but she is not produced from scratch: she is *transformed* into a slave. What is really crucial here is the whole *process* of transformation – which we may also associate with change and mutation in Canetti's (1960) sense. The process of the emergence of a new system can be described as either, more classically, a process of production of some legal and political artifacts, or – and this is the point we will take up here – a process of *convergence* towards a new balance and a new arrangement of relationships and commitments. Who gives the impulse to change? There seems to be no clear answer to the question, although some anthropological schemes may prove quite useful here: for instance, the young man, Tom Edison Jr, is probably the most fervent supporter of change. Tom acts as a little social planner of the town. Indeed, through Grace, he manages to have the inhabitants change their former worldview and their

old customs. Of course, the fact that old hypocrisies fall (e.g. Jack stops pretending he sees and admits his blindness) does not prevent the rise of new hypocrisies.

It is interesting to observe how the process of rearranging social relationships comes with a production of discourses and accounts, which do not simply describe and justify the new arrangement, but also strive to explain it genetically and logically – the two aspects often packed together into a single narrative. How does a community account for its own transformation into a slave-holding community? What is the justification the majority offers for the oppression of the minority and for the creation of ‘unanimities of hate’, whereby the construction of unanimity goes hand in hand with the isolation of one scapegoat from the group? As Lévi-Strauss once reflected, it is very hard to find a human group without a strong sense of its own intrinsic goodness, i.e. the goodness of being the ‘majority of itself’. Here we have to go back to Foucault’s poignant analysis of the famous adage *il faut défendre la société*: a thought which occurs almost literally in Tom Sr’s words to Grace when she is being put in chains: ‘you know we don’t like having to do this, but we don’t have much of a choice if we are to protect the community’. He even specifies that the chain is not to be interpreted as a *punishment* for her previous attempt to escape! The burden of politics must be shared among human beings, but it is hardly ever evenly distributed: for some, it becomes a crushing force.

THE TWO LAYERS

In his works, Von Trier pushes the issues of morals and justice to a point where they become so tough and tragic and aporetic that one begins to perceive a sort of layering effect. By ‘layering effect’ I mean that we begin to see that the layers of morals and justice have been superimposed onto other anthropological levels. Specifically, we may distinguish at least another layer which underlies the more visible biblical layer (especially, in *Dogville*, as seen from the Christian point of view). At the biblical layer, we encounter the abovementioned problem of the moral character of the poor, which is Brecht’s problem: does material deprivation make you morally miserable, too? The enlightened philanthropist – Grace’s initial point of view – is thoroughly convinced of this. Consequently, two alternatives are open to the philanthropist: either she takes up the romantic view of the poor as tragic heroes who struggle against their fate; or she takes up the positivist view of the poor as criminals. The positivist view has in its turn two main variations: according to the one, the poor/criminal is the ‘product of environmental circumstances’, while, according to the other, the poor/criminal is ‘intellectually inferior’ and therefore doomed to stay in the lowest socio-economic strata.

What characterizes the Christian moral problem is circumscribed by the elements of personal identification and personal action. The very alternative

between strict retribution and forgiveness is internal to the biblical layer of personal relations. But, below this layer, we find a different anthropological layer. With Girard (1972), we may call this the *mythic* layer. It follows a completely different logic, a logic of collective or impersonal action. It is linked to a less-than-personal *principium individuationis*, i.e. an identification based on categories rather than individuals. At both the mythic and the biblical layer what is crucial is the management of violence, but the tools deployed for this purpose are quite different. The biblical layer adopts a juridical model of retribution, while the mythic layer follows a model of purification.

In the model of retribution, on the one hand, one has to pay for what one has done. This is the juridical model of judgement. It requires personal identification. In the apocalyptic narrative of the Final Judgement, each person will be identified, his/her deeds (or intentions) will be evaluated, and each will receive what s/he deserves. In the model of purification, on the other hand, what really matters are not the persons. Both layers are 'played out on the field of pain and death', as Cover (1986: 1606–7) wrote about law, but at the mythic layer violence (whether it be action or reaction) is not divided and attributed *singulatim*; rather, it is concentrated and released against a common victim. The victim need not be culpable. A categorical identification is sufficient for the purpose: once the chosen victim belongs to a class of 'sacrificeable beings', it is not important against *whom* precisely the violence will be directed.⁷ The aim of the sacrifice, which Girard describes as a form of 'purifying violence', is the control of collective violence and tensions within the group. Actually, when collective violence escapes such control, the group heads toward self-destruction through a chain of infinite vengeance. Therefore, at the mythic layer, the question of who is going to bear the brunt of sacrificial violence is not a matter of personal identification, but a matter of strategy – which makes the concept of punishment irrelevant.

While the story of *Dogville* is explicitly framed in terms of the biblical layer, in fact it fundamentally reproduces the mechanism of the mythic layer. My argument is that the perspective of the sacrifice casts a new insight on the fundamental socio-legal and anthropological mechanism of *Dogville*.

THE TWO REASONS

Every emergent law is situated in a field of interplay between two different reasons, the economic and the symbolic. When Grace begins to work each day, for each Dogvillian, we clearly have a shift from the symbolic toward the economic reason. The guest is thought to be outside the normal economic regime of the human group: not surprisingly, ancient societies such as the Greek attach a degree of sacredness to hospitality. Inter alia, this proves that the guest cannot be considered as being 'inside' the community,

where everybody is generally supposed to have a specific economic position and task. On the contrary, the guest is a gift – as Grace is imagined by Tom Jr – an exception to the ‘normal’ life. She is in a liminal position. The guest is also likely to create a feeling of uneasiness, because of the ambiguity of her position in both structural terms and temporal dimensions. Hence, the initial resistance from the community to let Grace work for them: ‘we don’t need anything done at all’. To accept Grace as a worker would be equivalent to accepting her as a member. After the first two-week test period, when it is not clear whether Grace will be accepted on a more stable basis, many inhabitants prepare gifts for her, in view of her possible journey alone on the mountains. This journey will not, however, occur because eventually the township votes unanimously for her to stay.⁸

Beginning to provide services that have an economic value, Grace inevitably exceeds her position as a guest of the village. We are informed that, before the police arrive in town, she receives a small wage, which she employs to buy those ‘tiny China figurines from the row of seven that had stood for so long gathering dust in the window of the store’. Since she becomes an economic subject, she is no longer wholly external to the community, as proved by the small transaction of the figurines – not to speak of her bodily transformation from princess to peasant. Despite that, she is not fully internal either: undoubtedly, the inhabitants realize only very slowly that she is ‘here to stay’. She becomes closer and closer, but – this is the unstated general feeling – she will never become ‘one of us’. She is the *abject* (Bauman, 1995: §5), an undefined and insidious being which is neither object nor subject.

When we list the labours Grace ends up doing, we find: housecleaner, gardener, babysitter, nanny, and fruit picker.⁹ It may not be surprising to see that these are the jobs typically performed by immigrants in contemporary society. And the most significant consonance with Grace’s case is that the structural position of today’s immigrants is often weakened by their irregularity and their precarious legal status. Grace is an illegal person, too. This is the main environmental variable that precipitates a crucial transformation in the pattern of relations. The number of signs that continue to mark out her difference do not vanish: Grace is going to become not a member of the community, but something very different. The process of her inclusion proceeds in parallel with the process of her submission, her oppression,¹⁰ her exploitation.

The institution of slavery fundamentally alters the economic life of the community at Dogville. The presence of Grace turns out to be a significant and even abundant economic resource – sexual resources included. The ragged, ignorant inhabitants of Dogville transform themselves into slaveholders. Paradoxically, then, it is not because they are poor that they begin to do bad deeds – as the philanthropist argues – but because they are no longer as poor as they used to be. It is likewise clear that the ‘resource’

called Grace is abundant only insofar as it is unexpected. It is foreseeable that, as the slave system is set up, and the expectation of available unfree labour force strengthens, the perception of abundance will quickly dissipate. It will be replaced sooner or later – probably sooner – by that feeling of scarcity which, according to Adam Smith and other classic economists, is the foundational feeling of the economic domain.

Consequently, it is not difficult to foresee that the consensual exploitation of Grace's labour and body is but a merry, transitory phase which will soon come to an end. The slave system, like a blood-thirsty Moloch, always needs fresh flesh: just one slave will not suffice for long. Enter the danger of mimetic desire. Girard (1972, 2003) has described the triangular, deeply social nature of desire, which originates potentially disruptive outcomes: I desire what you desire, my desire increases at the pace of yours, and the object must be exclusively assigned to only one of us. This is a mechanism of which subjects need not be aware in order for it to work. It creates the most dangerous inner competitions for possession within the group, particularly among the males. To deconcentrate these competitions, which will otherwise degenerate into endless feuds, a sacrifice is being prepared: a coalition will be formed against a plausible victim, a sacrificeable being which will be identified as problematic or *critical*: 'she's managed to spread bitterness and troubles for all the town', says Jack; while later, in his thoughts, Tom Jr syllogizes that 'the danger Grace was to the town, she was also to him'. Grace herself is expecting to be killed as a logical conclusion of the whole process of threat and enslavement.

TOWARDS A CONCLUSION: LAW AND SACRIFICE

The emergence of law within a human group takes place through a series of ongoing transformations in social relationships which converge towards a zone of indistinction where inclusion and exclusion are mutually defined thanks to the complex role of a critical being – who may be a stateless person or a *homo sacer* – and where some pattern of violence-management is established. The role of violence in law and in sacrifice is particularly interesting. In the end, Dogvillians' violence looks naive when compared to the gangsters' violence and to the particular sophistication of Grace's violence. But is it really like this? Shouldn't we rather say that in the end there exists only one type of violence, and that differences among the various acts of violence are merely *quantitative*?

Girard (1972) identified a fundamental difference between two mechanisms of violence he called 'sacrifice' and 'scapegoat'. While the scapegoat mechanism is directed toward an internal member of the group, the sacrifice is a ritualized repetition of the scapegoat mechanism which is directed toward a sacrificeable being. The sacrificeable being is a creature which – regardless whether it is animal or human – does not properly belong to the

group, and is classified – categorically identified, we may say – as a ‘plausible’ subject upon which violence can fall. The story told in *Dogville* is a difficult case, because it is all about the transformation from the one mechanism to the other. *Dogville* is about what Girard names ‘sacrificial crisis’ – in other words, about the risk that the sacrifice may fail. The sacrifice fails when its violence, instead of having a cathartic, purifying effect, turns out to have a contagious effect. If the violence released in the sacrifice is not well circumscribed, it will spread like a virus, like a maddened φάρμακον, an infectious vaccine.

The final massacre of the town of Dogville is not simply a retributive punishment (or vengeance). Rather, the violence we witness is on the verge of two deeply different models: on the one hand there is retribution, which is based on personal identification and a calculation of actions; on the other hand, there is sacrificial purification, which is based upon an impersonal transfer of violence and on a peculiar economy of the concentration of diffused violence.¹¹ The treatment Grace undergoes at Dogville is particularly similar to that of sacrificeable prisoners of war in many primitive societies: from the initial, apparent progressive inclusion into the community – which can last for years – to ‘preparation’ of the victim through provocations, the ritual incitement to escape and subsequent chaining and locking of the prisoner (also recall that during the last meeting while waiting for the gangsters, ‘Tom was soon a passionate spokesman for locking Grace in her shed that night’). This clear pattern leads us to think that, were it not for Grace’s real identity, she would soon be sacrificed: a result that the Dogvillians themselves expect of the gangsters. In this perspective, the gangsters are a kind of postmodern *deus ex machina*, though the Dogvillians are erroneous in their predictions as to how precisely that *deus* will play.

What happens, instead of Grace’s destruction, is the destruction of the town. Although such destruction has a biblical flavour (recall Sodom and Gomorrah), it is in fact a vicarious, larger sacrifice. Just as Grace, at the end of her period of enslavement, would be sacrificed in order to control the inner violence of the town which is likely to escalate through mimetic desire and the new economic horizon outlined above, likewise, the town is slaughtered and destroyed to the benefit of some undefined, bigger entity: ‘And if one had the power to put it to rights’ – Grace concludes – ‘it was one’s duty to do so, for the sake of other towns, for the sake of humanity’. Here, we have a shift from the *quia peccatum* penal argument to the *ne peccetur* one. But, while at the biblical level the slaughter is aimed at establishing an exemplarity of the punishment, at the mythic level the same slaughter is aimed at ritual purification through the concentration of violence against a single subject. The only difference is that here the sacrificeable being is not individual but collective. This is made possible by the very logic of the sacrifice, which does not need individual identification, but only a categorical identification of its objects. For however appalling is the violence perpetrated by

a unanimous community against a defenseless human being, the extermination of a whole people, taken as the object of a boundless degree of violence on the mere basis of its categorization, is something so monstrous that any discourse about it always runs the risk of becoming meaningless through lack of words and categories.

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Notes

1. At the beginning of the film the lead gangster, while looking for Grace, has a quick conversation with Tom in which he states: 'I'm in position to offer considerable reward' – another perfectly ambivalent expression, at least while what kind of reward it is remains unstated.
2. In his *Voyage en Icarie* (1838), the French utopian Étienne Cabet described the communist evangelic community he later attempted to found in Texas in 1847, but which proved unsuccessful. The Icarians were in favour of the abolition of private property but against revolutionary means, as they were concerned with social harmony (see Johnson, 1974). When she first visits the town, Grace describes it as 'a place where people have hopes and dreams even under the hardest conditions'.
3. However, we are also told that Grace's present passivity is an active choice: there are hints that her present credo is the result of a refusal of her former education: 'I was raised to be arrogant. So I have to teach myself these things'.
4. Recall the famous quote by Roy Batty – 'Quite an experience to live in fear, isn't it? That's what it's like to be a slave' – in Ridley Scott's film *Blade Runner*.
5. On the importance of the implicit dimension in law – and specifically on the role played by the 'tacit' – see Macdonald and Kehler Siebert (2005). See also Fuller (2001: 231).
6. It should be stressed that Agamben distinguishes the homo sacer from the slave, because the slave can be – and, indeed, in a slave-holding society, is – a well-defined, normal presence. Homo sacer, rather, is paralleled to the bandit, the outlaw – the contemporary so called 'unlawful combatant'. But, as in the paradigm of the homo sacer and its liminal relationship with the law, the lack of any explicit legal framework characterizes the whole story of *Dogville*. The process of transformation is at the core of the story itself, and the symbolic institution of a new regime will be welcomed by the Dogvillians as a needed stabilization of the framework: 'since the chain had been attached, things had become easier for everyone'.
7. Bataille (1973) observed that the slave is the perfect candidate for the sacrifice: indeed, for the sacrifice to work, what is sacrificed must be something strictly useful, or strongly desired, and not luxurious, unnecessary goods.

8. The gift is in itself an ambivalent anthropological object. It is something that exceeds (or precedes) the exchange economy, but, as well known since Mauss (1924), the norms associated with gift exchanges are at the same time the cornerstone of any trade economy.
9. We should not forget the first clue about work that Tom Jr addresses to Grace: 'Do you mind physical labour?' Only retrospectively can we appreciate the subtle causticity of the sentence.
10. Young (1990: §2) speaks of five 'faces of oppression': exploitation, marginalization, powerlessness, cultural imperialism, and systematic violence – all of which are somehow present in Grace's story.
11. The distinction is ideal-typical. Collective punishment, for instance, seems to be somewhere in between the two models. Is *Dogville* an example of collective punishment? We know that all the people in *Dogville* took part in the slavery abjection. As they are killed one by one, we have the time to compare their present miserable fate with their past misbehaviour. But the children too are killed. The whole community will be exterminated. They are killed *singularitatem* but also and above all *omnes*, all together, in a common bloodshed. They are treated as a single sacrificeable collective being.

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