DILEMMAS OF VIOLENCE: HEANEY THROUGH BENJAMIN

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While men still roamed the forests, they were restrained from bloodshed and a bestial way of life by Orpheus . . . .[1]

—*Horace,* Ars Poetica

In this Essay, I wish to discuss one small aspect of the relationship among law, violence, and poetry. On a larger canvas, however, this Essay is really intended as a tribute to Seamus Heaney, who died in August 2013. I can imagine no better purpose for this Essay than that it leads someone back to his poetry. Heaney's early work seemed to me to be a perfect subject for this colloquium. As I reread all of the early books through *Field Work*, I started to imagine what relevance I could find to Heaney's poetry in Walter Benjamin's early work on violence. This Essay is the result of bringing two figures together who have probably never been discussed in the same sentence. Heaney never mentioned Benjamin to my knowledge, and his work certainly seems very far from the work of the tortured German thinker, scholar, and cult figure. Nonetheless, I think that there is some benefit in bringing them together, particularly in the context of this colloquium on law, violence, and the humanities.

Walter Benjamin wrote in an early fragment in 1920 that "the law's concern with justice is only apparent, whereas in truth the law is concerned with self-preservation. In particular, with defending its existence against its own guilt."[2] He wrote an important essay in 1921 called *Critique of Violence*, which delved more deeply into the

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1. Horace, *On the Art of Poetry*, *in* CLASSICAL LITERARY CRITICISM 98, 109 (Penelope Murray & T.S. Dorsch trans., 2000).

2. 1 WALTER BENJAMIN, *The Right to Use Force*, *in* WALTER BENJAMIN SELECTED WRITINGS, 1913–1926, at 231, 232 (Marcus Bullock & Michael W. Jennings eds., 1996).

relationship between law, justice, and violence. I will elaborate on that later on in this Essay. For now, the basic understanding that I want to emphasize is that law bespeaks inevitable violence in its human jurisdiction. Not only law itself, but the interpretation of law happens amidst violence. As Robert Cover wrote, "Legal interpretation takes place in a field of pain and death."[3]

Poetry exerts a different force on its constituents. Poetry, one could say, is founded on violence on one level (Benjamin wrote that "[t]here is no document of culture which is not at the same time a document of barbarism"[4]), but it also promises a freedom from violence, a liberation or "release," as Seamus Heaney conceived it:

> This is what gives poetry its governing power. At its greatest moments it would attempt, in Yeats's phrase, to hold in a single thought reality and justice. Yet even then its function is not essentially supplicatory or transitive. Poetry is more a threshold than a path, one constantly approached and constantly departed from, at which reader and writer undergo in their different ways the experience of being at the same time summoned and released.[5]

The simultaneous summoning and release by a reader and writer keeps poetry and law at a perpetual remove from each other. Law's purpose is not to release its grip at any time—even the prisoner released from prison or the defendant given a "not guilty" verdict remain within the law's grasp. Poetry's purpose, on the other hand, is to summon the reader to an understanding or perception, perhaps of violence, but never to keep him or her subject to a sovereign. As Heaney says, it is "more a threshold than a path."[6] A threshold maintains the vista of possibility, whereas a path requires choice, action, determination, and commitment. While Benjamin and Cover recognize the inescapable violence of the law, for Heaney "*[t]he end of art is peace* . . . ."[7]

One could say that Seamus Heaney systematically struggled with two kinds of overt poetic or verbal violence throughout his reading and writing life. The first came with his realization that his native language, English, was in fact "a kind of force-feeding."[8]

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3. ROBERT COVER, *Violence and the Word*, *in* NARRATIVE, VIOLENCE, AND THE LAW: THE ESSAYS OF ROBERT COVER 203, 203 (Martha Minow, Michael Ryan & Austin Sarat eds., (1992) (footnote omitted).

4. 4 WALTER BENJAMIN, *On the Concept of History*, *in* WALTER BENJAMIN SELECTED WRITINGS, 1938–1940, at 389, 392 (Howard Eiland & Michael W. Jennings eds., Edmund Jephcott et al. trans., 2003).

5. SEAMUS HEANEY, *The Government of the Tongue*, *in* FINDERS KEEPERS: SELECTED PROSE 1971–2001, at 197, 208 (2002).

6. *Id.*

7. SEAMUS HEANEY, *The Harvest Bow*, *in* FIELD WORK 58, 58 (1979).

8. SEAMUS HEANEY, *Mossbawn*, *in* FINDERS KEEPERS: SELECTED PROSE 1971–2001, *supra* note 5, at 3, 13.

That is, Heaney had to grapple with the violent legacy of colonialism. In this, he was like so many other writers we now study under the rubric of post-colonialism. This struggle with English was involuntary, at least from the perspective of the young Seamus Heaney. The second form of verbal violence was more or less a voluntary undertaking. Heaney made himself into one of the great poetic translators of the twentieth century. As a translator, he engaged in a forceful reckoning with medieval Irish, Anglo-Saxon, classical Greek, Polish, Middle English, and occasionally with French or Italian. He wrestled modern or inflected English out of the original language. Translation for Heaney was really the confluence of both categories of verbal violence: the involuntary and the voluntary.

It is reasonably clear that Heaney adapted himself well to writing poetry in the master language, although not without complaint. In an early poem called "The Stations of the West," he wrote, "I sit on a twilit bedside listening through the wall to fluent Irish, homesick for a speech I was to extirpate."[9] Nevertheless, he did not write verse in Irish, even though several poets who were basically contemporary with Heaney did. Heaney did, of course, incorporate Irish vocabulary into his works and always at strategic moments to make a linguistic point about the native language and the colonial dilemma.[10] Moreover, Heaney wrote naturally of the process of poetic becoming without betraying any sense of anguish or regret at how his poems sought their incarnation in the English language: "A poem can survive stylistic blemishes but it cannot survive a stillbirth. The crucial action is pre-verbal, to be able to allow the first alertness or come-hither, sensed in a blurred or incomplete way, to dilate and approach as a thought or a theme or a phrase."[11]

The violence that Heaney confronted physically and emotionally, the violence that he had to confront in his poetry, was really the historic violence of Ireland and the contemporary violence of his home in Belfast, Northern Ireland. Heaney lived in Ireland through the Troubles, which lasted from the 1960s through the signing of the Good Friday Agreement of April 10, 1998.[12] Much of the worst violence happened in the late 1960s and early 1970s, including the Bloody Sunday killings, which happened in January of

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9. SEAMUS HEANEY, *The Stations of the West*, *in* OPENED GROUND: SELECTED POEMS 1996–1996, at 88, 88 (1999).

10. *See, e.g.*, SEAMUS HEANEY, *A New Song*, *in* WINTERING OUT 33, 33 (1973).

11. *Id.*

12. *Bloody Sunday*, ENCYCLOPÆDIA BRITANNICA, http://www.britannica.com/EBchecked/topic/726532/Bloody-Sunday (last visited Aug. 26, 2014).

1972.[13] Shortly afterwards, Heaney left Northern Ireland and moved to the Irish Republic. He never returned to live in the North. This Essay will examine a couple of poems in the context of the dilemmas Heaney faced as he reflected on the violence that he could not avoid as a human being.

Notwithstanding Heaney's confidence in the possibility of release in poetry, he was still creating verbal artifacts whose interpretation, at least for his contemporary Irish readers, had to "take[] place in a field of pain and death."[14] On one level, Heaney's own poems about the violence in Northern Ireland can be read as instances of the kinds of legal violence that Walter Benjamin hinted at in his fragment quoted above, *The Right to Use Force*.[15] Sixty-five years before Cover wrote *Violence and the Word*,[16] Walter Benjamin, not yet thirty years old, did some additional heavy lifting on the subject of law and violence. His essay, *Critique of Violence*,[17] appeared in 1921 (coincidentally, the year of the creation of Northern Ireland), and deepened his thinking from *The Right to Use Force*.[18] As everyone who has read it knows, the essay is dense. It traces law and violence from traditional beginnings, through what Benjamin calls mythic and divine violence, culminating with Kierkegaardian reflections on the place of such violence in society.[19] In the first part of the essay, Benjamin examines two kinds of legal violence that seem embedded in Heaney's work.[20]

Benjamin lays out in the first sentence of *Critique of Violence* that the "task of a critique of violence can be summarized as that of expounding its relation to law and justice."[21] At issue for Benjamin is law and justice (*das Recht* and *die Gerechtigkeit*, respectively), but for this Essay the focus is on law.[22] For Benjamin, "[l]awmaking is powermaking, assumption of power, and to that extent an immediate manifestation of violence."[23] Benjamin set out in *Critique of Violence* first to address violence through the traditional legal dichotomy of natural law and positive law.[24] In a natural law context, according to Benjamin, "[V]iolence is a product of

13. *1998: Northern Ireland Peace Deal Reached*, BBC, http://news.bbc.co.uk/onthisday/hi/dates/stories/april/10/newsid_2450000/2450823.stm (last visited July 24, 2014) (providing a history of the agreement).

14. COVER, *supra* note 3.

15. BENJAMIN, *supra* note 2.

16. COVER, *supra* note 3.

17. WALTER BENJAMIN, *Critique of Violence*, *in* WALTER BENJAMIN SELECTED WRITINGS 1913–1926, *supra* note 2, at 236, 236.

18. BENJAMIN, *supra* note 2, at 231.

19. BENJAMIN, *supra* note 17, at 251–52.

20. *Id.* at 236 (identifying law and justice as the two concepts).

21. *Id.*

22. *Id.*

23. *Id.* at 248.

24. *Id.* at 237.

nature . . . the use of which is in no way problematical unless force is misused for unjust ends."[25] On the other hand, positive law "sees violence as a product of history."[26] Let us be clear—Benjamin is not saying that violence is justified in either case.[27] In the case of natural law, violence is unproblematic because it appears ideologically inevitable, not because it is in fact inevitable. The case is more self-evident when it comes to positive law. When violence is seen as a product of history, it appears to be subject to the same corruptions and misdirection as any human institution. History can be used to motivate or justify violence just as well as ideology. Benjamin goes on to say that "[n]atural law attempts, by the justness of the ends, to 'justify' the means, positive law to 'guarantee' the justness of the ends through the justification of the means."[28]

For Benjamin, most of history sees two facets of law and violence: lawmaking and law preserving (*die rechtsetzende Gewalt* and *die rechtserhaltende Gewalt*).[29] Both necessitate a relationship of law and violence that may or may not be justified in certain situations but that is nonetheless inevitable in all circumstances. Law perpetuates itself through violence, but on an ontological level, as law needs violence to survive as law:

> To counter it one might perhaps consider the surprising possibility that the law's interest in a monopoly of violence vis-à-vis individuals is explained not by the intention of preserving legal ends but, rather, by the intention of preserving the law itself; that violence, when not in the hands of the law, threatens it not by the ends that it may pursue but by its mere existence outside the law.[30]

According to Benjamin—Cover, too, for that matter—law and violence are inseparable, inextricable, and therefore not subject to examination apart from each other.[31]

These Benjaminian reflections get to the core of a signal tension in Heaney's poetry. Many readers and critics of Heaney's work have been preoccupied by Heaney's response, or some would say nonresponse, to the sectarian violence in Northern Ireland. The poems discussed in this essay—Heaney's responses to the violence he saw around him—embody a tension or a movement back and

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25. *Id.* at 236–37.

26. *Id.* at 237.

27. "Among all the forms of violence permitted by both natural law and positive law, not one is free of the gravely problematic nature, already indicated, of all legal violence." *Id.* at 247.

28. *Id.* at 237.

29. *Id.* at 241 ("If that first function of violence is called the lawmaking function, this second will be called the law-preserving function.").

30. *Id.* at 239.

31. *Id.*; *see also supra* note 3 and accompanying text.

forth between Benjamin's concepts of violence exposed through natural law and violence narrated by positive law. On the one hand, Heaney understood the violence as natural and, eschewing any callous inferences, unproblematic. On the other hand, at other times he very much viewed the violence as a product of history. He stated the question directly in one of the "Glanmore Sonnets": "What is my apology for poetry?"[32]

I. "THE TOLLUND MAN"

Seamus Heaney's first two books of poems, *Death of a Naturalist*[33] and *Door Into the Dark*,[34] were published in 1966 and 1969, respectively. They focused on the local, the pastoral, and the familial. The Londonderry March of October 1968 is usually singled out as the beginning of the Troubles.[35] *Death of a Naturalist*[36] certainly arrived, therefore, in a time less fraught with overt political violence. The period of *Door Into the Dark*,[37] however, began to witness the changes and overlap the violence. Nevertheless, neither book delved deeply or directly into political themes. Heaney opened that door in 1972 when he published "The Tollund Man" in *Wintering Out*.[38]

P.V. Glob's book, *The Bog People*, an inquiry into prehistoric human remains found in peat bogs in Denmark, appeared in English translation in 1969.[39] In it, Heaney found a way out of the immediacy of the violence that gripped Northern Ireland and it was violent. The Londonderry March of 1968 "left eight dead, hundreds injured and the Catholic slums of Bogside smoldering."[40] P.V. Glob's photographs and archaeological explanations of the remains moved Heaney immensely. As he explained, "Opening P.V. Glob's book *The Bog People* was like opening a gate . . . ."[41]

Heaney posed the question of violence and death for himself but relied tellingly on the poetic tradition: "The question, as ever, is

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32. SEAMUS HEANEY, *Glanmore Sonnets*, *in* FIELD WORK, *supra* note 7, at 33, 41.

33. SEAMUS HEANEY, DEATH OF A NATURALIST (1966).

34. SEAMUS HEANEY, DOOR INTO THE DARK (1969).

35. *1968: Londonderry March Ends in Violence*, BBC, http://news.bbc.co.uk/onthisday/hi/dates/stories/october/5/newsid_4286000/4286818.stm (last visited July 24, 2014) (providing a history of the march).

36. HEANEY, *supra* note 33.

37. HEANEY, *supra* note 34.

38. SEAMUS HEANEY, *The Tollund Man*, *in* WINTERING OUT, *supra* note 10, at 47.

39. P.V. GLOB, THE BOG PEOPLE: IRON-AGE MAN PRESERVED (Rupert Bruce-Mitford trans., 1969).

40. Bernard Weinraub, *Londonderry Streets Quiet After Violent Night*, N.Y. TIMES, Mar. 31, 1970, at 10.

41. STEPPING STONES: INTERVIEWS WITH SEAMUS HEANEY 157 (Dennis O'Driscoll ed., 2008).

'How with this rage shall beauty hold a plea?' And my answer is, by offering 'befitting emblems of adversity.'"[42] This is a complicated moment in a seminal essay in which Heaney dwells at some length on "The Tollund Man," and quotes it in full.[43] Heaney's question is actually posed by Shakespeare in "Sonnet 65,"[44] and Heaney's answer comes from Yeats's poem "Meditations in a Time of Civil War."[45] Heaney is already filtering the violence through the poetic tradition—how have other poets dealt with violence?—and, perhaps characteristically, using the most representative English and Irish poets. It is almost as though Heaney is bringing them so intimately together in his essay in order to propose a peaceful cessation of the violence.

"The Tollund Man" is Heaney's first significant meditation on the violence captured prehistorically by the bogs and bursting around him in contemporary Northern Ireland.[46] Glob had described how the bodies preserved in the peat had been laid there as part of a ritual of sacrifice to the earth goddess.[47] The ritualistic violence of prehistoric Denmark worked in Heaney's poetry to bring the deaths in Ireland to the surface of verse. As he writes in *Feeling into Words*, "the unforgettable photographs of these victims blended in my mind with photographs of atrocities, past and present in the long rites of Irish political and religious struggles."[48] The stakes were high for Heaney, who admitted "[w]hen I wrote this poem, I had a completely new sensation, one of fear."[49] One can only presume, but it seems likely that the sense of fear came directly from the responsibility he felt to represent the violence responsibly while maintaining faithfulness to his craft. Many critics have interpreted Heaney's trepidation as a sign of wavering in the face of violence, but it could also be that he flinches at the idea of transmuting violence into words, which is, as discussed, another form of violence.

Law, as Benjamin suggested in a more nuanced fashion than Cover, is in a relationship with violence that is determined in part by the actual legal system.[50] In "The Tollund Man," Heaney indulges the violence that is in some sense or another unproblematic

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42. SEAMUS HEANEY, *Feeling into Words*, *in* PREOCCUPATIONS: SELECTED PROSE 1968–1978, at 41, 57 (1980).
43. *Id.* at 57–58.
44. WILLIAM SHAKESPEARE, *Sonnet 65*, *in* SHAKESPEARE'S SONNETS 132, 132 (A.L. Rowse ed., 1964).
45. W.B. YEATS, *Meditations in Time of Civil War*, *in* THE TOWER (1928): MANUSCRIPT MATERIALS 153 (Richard J. Finneran et al. eds., 2007) (1928).
46. HEANEY, *supra* note 38, at 48 ("The scattered, ambushed / Flesh of labourers, / Stockinged corpses / Laid out in the farmyards . . . .").
47. GLOB, *supra* note 39, at 20.
48. HEANEY, *supra* note 42, at 57–58.
49. *Id.* at 58.
50. BENJAMIN, *supra* note 17.

because it is archetypal ("it is an archetypal pattern").[51] The first numbered section of the poem (there are three) describes the prehistoric remains discovered in Denmark.[52] While time and decay have worked significant changes in the body, the figure is still quite human. Heaney can speak of the head, the eyelids, the stomach, and the face. He notates recognizable items of clothing:

> Naked except for
> The cap, noose and girdle . . . [53]

Heaney, however, is working from a photograph in the Glob book. The remains are in Aarhus, and the first section of the poem records Heaney's promise to go there to see for himself the "stained face" of the Tollund Man.[54] If he must bear witness to the violence in Ireland, he will also witness the remains in Aarhus that are the foundation of the archetype. In the third section of the poem, Heaney projects how he, an Irishman, will feel a stranger in Denmark as he searches out the remains.[55] Yet, because of the archetype

> I will feel lost,
> Unhappy and at home.[56]

It is in the middle section of the poem that Heaney drives home the relationship between the Tollund Man and the violence at home. It is in the middle section that he comes to see "violence as a product of history."[57] As Heaney put it:

> I could risk blasphemy,
> Consecrate the cauldron bog
> Our holy ground and pray
> Him to make germinate
>
> The scattered, ambushed
> Flesh of labourers,
> Stockinged corpses
> Laid out in the farmyards,

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51. HEANEY, *supra* note 42.
52. *Id.* at 58.
53. *Id.*
54. *Id.*
55. *Id.* at 59.
56. *Id.*
57. *Id.* at 58–59; *see also* BENJAMIN, *supra* note 17, at 237.

Tell-tale skin and teeth
Flecking the sleepers
Of four young brothers, trailed
For miles along the lines.[58]

As Heaney wrote in *Feeling into Words*, "What we have is the tail-end of a struggle in a province between territorial piety and imperial power."[59] The middle section tells of the violent murder of four young Catholics who were ambushed by Protestants and dragged for miles along a railroad line.[60] Heaney looks at the corpses much as he looked at the photograph in the first section of the poem, but in this case, the violence is not at a remove. We see the flesh, the skin, and the teeth of the murdered boys much as we saw the "peat-brown head" and the "stained face" of the Tollund Man.[61] The difference, of course, is that Heaney has returned to history from the domain of archetype. The two sources of natural law and positive law as imagined by Benjamin are alive in the tension brought to life by Heaney in "The Tollund Man."

II. "NORTH"

Seamus Heaney's most controversial volume of poetry was *North*, published in 1975.[62] As the title alone indicates, it contains his most consistent engagement with the Troubles. As mentioned above, Heaney had moved to County Wicklow south of Dublin in 1972, several months after Bloody Sunday. Many saw Heaney's move as a form of flight away from the political realities of the North. He wrote the poems of *North* from a safe distance physically, even though emotionally he had not disengaged. Many were eager to see what Heaney's next book after *Wintering Out* would look like given his seeming desertion of the cause of equality. Indeed, when *North* appeared many reacted with disappointment. Ciaran Carson wrote:

> One can hardly resist the suspicion that *North* itself, as a work of art, has succumbed to this notion; Heaney seems to have moved—unwillingly, perhaps—from being a writer with a gift of precision, to become the laureate of violence—a mythmaker, an anthropologist of ritual killing, an apologist for "the situation," in the last resort, a mystifier.[63]

58. HEANEY, *supra* note 42, at 58–59.
59. *Id.* at 57.
60. *Id.* at 58–59.
61. *Id.* at 58.
62. SEAMUS HEANEY, NORTH (1975).
63. THE POETRY OF SEAMUS HEANEY 84 (Elmer Andrews ed., 1998) (quoting Ciaran Carson, *Escaped from the Massacre*, THE HONEST ULSTERMAN 50 (1975)).

His reaction, while better expressed, was typical of many who thought that Heaney's straining after the notion of ritual violence, first found in "The Tollund Man," had left him unable to express the actual horrors of the violent strife in his former home. A "laureate of violence" has presumably accepted the archetypal, "unproblematic" nature of violence through the ages.[64] The "fear" Heaney experienced when writing "The Tollund Man" had seemingly been alleviated by shelter in the provinces of myth and distant history in *North*.

"North," the title poem of the volume, is one of the most morally complex poems Heaney composed. Heaney became fascinated for a time with the Vikings and Viking culture. *North* contains not only the title poem, which is fully Viking, but also "Viking Dublin: Trial Pieces."[65] The Viking culture blended generally into the romanticism of prehistoric culture for Heaney, exactly what he had explored in "The Tollund Man," and which he would continue to excavate in the bog poems of *North*. He sought shelter in the ancient analogues to the contemporary situation in Northern Ireland, but in "North" he went farther than he had and, arguably, would do again. He embraced the culture of violence he found in the Vikings, moving in the direction of a Yeatsian[66] idea of destruction and creativity, a notion embedded in the words Heaney quoted from "Meditations in a Time of Civil War" ("[b]efitting emblems of adversity").[67] As opposed to "The Tollund Man" and "Casualty" (discussed below), "North" does not treat the violence of Northern Ireland as such, but delivers Heaney's arguments on the subject of poetry and violence. It is an *ars poetica*.

Heaney has gone to the Atlantic coast of Ireland at the beginning of "North," perhaps to find his bearings, perhaps to seek out new opportunities. He is open to experience, but what he discovers on the "thundering" Atlantic coast is a prospect of "unmagical / invitations of Iceland" and "the pathetic colonies / of Greenland . . . ."[68] The first eight lines of the poem are singularly unpromising, but the eighth line ends with the word "suddenly,"[69] preparing the reader for a significant shift, and, indeed, it comes

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64. *Id.*; *see also*, HEANEY, *supra* note 42.

65. SEAMUS HEANEY, *Viking Dublin: Trial Pieces*, *in* NORTH, *supra* note 62, at 21, 21–24.

66. *See W.B. Yeats*, POETS.ORG, http://www.poets.org/poetsorg/poet/w-b-yeats (last visited July 25, 2014) ("[H]is writing . . . drew extensively from sources in Irish mythology and folklore. . . . Yeats was deeply involved in politics in Ireland, and in the [1920s], despite Irish independence from England, his verse reflected a pessimism about the political situation in his country and the rest of Europe . . . . [H]e remained uninhibited in advancing his idiosyncratic philosophy . . . .").

67. YEATS, *supra* note 45, at 191.

68. SEAMUS HEANEY, *North*, *in* NORTH, *supra* note 62, at 19, 19.

69. *Id.*

with Heaney's vision of "those fabulous raiders,"[70] the Vikings of ancient Ireland:

> [T]hose lying in Orkney and Dublin
> measured against
> their long swords rusting,
>
> those in the solid
> belly of stone ships,
> those hacked and glinting
> in the gravel of thawed streams.[71]

The violence of the image imposes itself as one imagines the "hacked and glinting" bodies of the Catholics and Protestants dead in Northern Ireland.[72] Heaney, however, imagines himself in intimate communication with those dead Vikings. They

> were ocean-deafened voices
> warning me, lifted again
> in violence and epiphany.[73]

Heaney conjoins "violence and epiphany,"[74] recalling Yeats, and underlines the recurring nature of the duality by intoning that the voices are "lifted again."[75] What do the voices tell Heaney? First, they relate the violence, and then move to the epiphany. As for the violence:

> The longship's swimming tongue
> was buoyant with hindsight—
> it said Thor's hammer swung
> to geography and trade,
> thick-witted couplings and revenges,
>
> the hatreds and behindbacks
> of the althing,[76] lies and women,
> exhaustions nominated peace,
> memory incubating the spilled blood.[77]

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70. *Id.*
71. *Id.*
72. *Id.*; *see also supra* note 40 and accompanying text.
73. HEANEY, *supra* note 68.
74. *Id.*
75. *Id.*
76. The *althing* is the name of a general assembly in Icelandic medieval society. Jesse Byock, *The Icelandic Althing: Dawn of Parliamentary Democracy*, *in* HERITAGE AND IDENTITY: SHAPING THE NATIONS OF THE NORTH 1, 1 (J.M. Fladmark ed., 2002).
77. *Id.* at 19–20.

Heaney proposes "Thor's hammer" and associates it immediately with conquest and economic domination ("geography and trade").[78] Of course, both are emblems of England's relationship with Ireland. Humans perpetuate violence through their own relationships, revenges, and hatreds. Peace only comes about through exhaustion, but the violence will return once the incubation period for the memory of spilled blood has expired. Then the voices as communicated by the "longship's swimming tongue"[79] transition to the epiphany:

> It said, 'Lie down
> in the word-hoard, burrow
> the coil and gleam
> of your furrowed brain.
>
> Compose in darkness.
> Expect aurora borealis
> in the long foray
> but no cascade of light.
>
> Keep your eye clear
> as the bleb of the icicle,
> trust the feel of what nubbed treasure
> your hands have known.'[80]

The "word-hoard," "furrowed brain," and "nubbed treasure" are all repositories of artifacts and memories of the past that present themselves as available for excavation today.[81] We know from what the Viking ship has already said that the past is composed of endless cycles of exhaustion and violence. Heaney, in this *ars poetica*, links poetry as firmly to violence as Benjamin does law to violence. What is spoken in the two parts of the poem given over to the "swimming tongue" almost exactly parallel Benjamin's notions of violence by law-making ("Thor's hammer") and law-preserving (through poetry).[82]

III. "CASUALTY"

"Casualty" appeared in *Field Work*, the volume of poetry Heaney published immediately after *North* in 1979. There is a significant shift in tone between *North* and *Field Work*. Heaney

78. *Id.* at 20.
79. *Id.* at 19.
80. *Id.* at 20.
81. *Id.*
82. *Id.* at 19–20. Neil Corcoran writes, "The poem is not tender-minded or illusioned about the activity of making poems: when the poet lies down and burrows in the word-hoard to pursue the poem, he is engaged, like the Vikings, on a 'foray': a hostile or predatory incursion, a raid." NEIL CORCORAN, THE POETRY OF SEAMUS HEANEY: A CRITICAL STUDY 58–59 (1998).

said, "These two volumes are negotiating with each other."[83] Heaney leaves behind the bog poems and the engagements with the Vikings. There is a greater focus on history in *Field Work* than in *North*, touching what Benjamin identified with positive law in language quoted above as the effort to "'guarantee' the justness of the ends through the justification of the means."[84] Heaney is more scrupulous in *Field Work* about his procedures, and that is embodied in "Casualty." "Casualty," like "North," engages the relations between poetry and violence, and is also a version of an *ars poetica* in that context.[85] "Casualty," however, swerves away from the seemingly predestined encounters with violence and legend that emerge in "North."

"Casualty" is Heaney's only effort in poetry to deal with the violent deaths of Bloody Sunday—the day in January of 1972 when English soldiers killed thirteen Irish Catholics who were participating in a civil rights march.[86] Bloody Sunday is the iconic event of the Troubles. Heaney chose an astonishingly unorthodox approach to it. Instead of writing a poem of outrage or accusation against the British troops, he wrote an elegy for a Catholic fisherman who was killed accidentally in a reprisal bombing of a Protestant pub by the IRA. The fisherman broke the IRA-imposed curfew because he could not resist

> the lure
> Of warm lit-up places,
> The blurred mesh and murmur
> Drifting among glasses
> In the gregarious smoke.[87]

Heaney asks, "How culpable was he / That last night when he broke / Our tribe's complicity?"[88] As opposed to the chthonic violence depicted in "The Tollund Man," or the legendary violence associated with the Vikings, Heaney is clearly in the realm of contemporary history in "Casualty." Heaney wants to justify the means of his poetic in order to guarantee the justness of his ends. Here, his ends, his *ars poetica*, involve a turning inward away from the "word-hoard" of "North" to the freedom of being out early in the fishing boat:

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83. *Id.* at 83.

84. BENJAMIN, *supra* note 17, at 237.

85. SEAMUS HEANEY, *Casualty*, *in* FIELD WORK, *supra* note 7, at 21, 22 (1976) ("I see him as he turned / In that bombed offending place, / Remorse fused with terror . . . .").

86. Graham Dawson, *Trauma, Place and the Politics of Memory: Bloody Sunday, Derry, 1972–2004*, 59 HIST. WORKSHOP J. 151, 151 (2005).

87. HEANEY, *supra* note 85, at 23.

88. *Id.*

As you find a rhythm
Working you, slow mile by mile,
Into your proper haunt
Somewhere, well out, beyond . . . [89]

The word "casualty" has two principal meanings. One meaning that is consistently identified with the poem is the death of the unidentified man who challenges the IRA pub curfew. Another meaning, however, hovers around the idea of chance or chance occurrence, as in casualty insurance. The man who loses his life is not only a casualty, but also equally subject to the chance occurrence of his appearance in the Protestant bar the night it was targeted to be destroyed by the IRA bomb. As such, the violence of "Casualty" is hardly, in Benjamin's words, a "product of nature" and is most assuredly "problematical."[90] Heaney has given us in "Casualty" the depredations of chance against the backdrop of frequent political violence.

Seamus Heaney knew the fisherman whose death he elegized in "Casualty." He had sat with him in conversation at the pub. The fisherman—whom many have compared to Yeats's "freckled man who goes / To a grey place on a hill" in the poem "The Fisherman"[91]—was not reluctant to discuss poetry, Heaney's "tentative art." Heaney remembers him fondly in "Casualty." It is important to note that, as opposed to "North," wherein Heaney awaited the instructions of "those fabulous raiders," the Vikings, in "Casualty" what he yearns for is more contact with the fisherman:

Dawn-sniffing revenant,
Plodder through midnight rain,
Question me again.[92]

Seamus Heaney seemingly sought an escape from his laden association of violence and poetry in "North." He found it in the contrary fisherman who unwittingly sacrificed his life to his ideal of independence from "[o]ur tribe's complicity[.]"[93] It seems contradictory to find an escape from violence through the violence of

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89. *Id.* at 24.
90. BENJAMIN, *supra* note 17, at 236–37.
91. William Butler Yeats, *The Fisherman*, 7 POETRY: A MAGAZINE OF VERSE, no. 5, Feb. 1916, at 219–21, *available at* http://www.poetryfoundation.org/poetrymagazine/browse/7/5#!/20570682/0.
92. HEANEY, *supra* note 85, at 24.
93. *Id.* at 23.

a sacrifice ("Remorse fused with terror / In his still knowable face"[94]), but Heaney was acknowledging not only the role of poetry in the cause of peace (see "The Harvest Bow" quoted above[95]), but also the necessity of independent action—no matter which tribe's complicity may be compromised. In a sense, as Benjamin saw, this too, is part of the mythical cycle of violence:

> The act of establishing frontiers, however, is also significant for an understanding of law in another respect. Laws and circumscribed frontiers remain, at least in primeval times, unwritten laws. A man can unwittingly infringe upon them and thus incur retribution. For each intervention of law that is provoked by an offense against the unwritten and unknown law is called "retribution" (in contradistinction to "punishment"). But however unluckily it may befall its unsuspecting victim, its occurrence is, in the understanding of the law, not chance, but fate showing itself once again in its deliberate ambiguity.[96]

If we are to read Benjamin into Heaney at this point, it is to almost epitomize the advent of chance ("casualty") against the impossibility of chance.

Heaney ultimately recognized in poetry a way out of the law-making and law-preserving violence that he saw around him. His own *ars poetica* had to evolve from ritual ("The Tollund Man") to epiphany ("North") to trust in language ("Casualty"). Benjamin paradoxically recognized that language might be free of violence.[97] Heaney himself spoke of his return to trust in *Field Work*: "I suppose that the shift from *North* to *Field Work* is a shift in trust: a learning to trust melody, to trust art as reality, to trust artfulness as an affirmation . . . ."[98]

As Heaney elaborated his field work for the rest of his career, poetry continued to be "more a threshold than a path."[99]

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94. *Id.* at 22–23.

95. *See* HEANEY, *supra* note 7 and accompanying text.

96. BENJAMIN, supra note 17, at 249.

97. "This makes clear that there is a sphere of human agreement that is nonviolent to the extent that it is wholly inaccessible to violence: the proper sphere of 'understanding,' language." *Id.* at 245.

98. CORCORAN, *supra* note 82, at 83.

99. HEANEY, *supra* note 5. It might be worth a reminder that a famous jurisprudential writing by Oliver Wendell Holmes is called "The Path of the Law." Oliver Wendell Holmes, *The Path of the Law*, 10 HARV. L. REV. 457 (1897).

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