

PRECARIOUS LIFE

THE POWERS OF MOURNING
AND VIOLENCE



JUDITH BUTLER



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*For Isaac,
who imagines otherwise*

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PREFACE

The five essays collected here were all written after September 11, 2001, and in response to the conditions of heightened vulnerability and aggression that followed from those events. It was my sense in the fall of 2001 that the United States was missing an opportunity to redefine itself as part of a global community when, instead, it heightened nationalist discourse, extended surveillance mechanisms, suspended constitutional rights, and developed forms of explicit and implicit censorship. These events led public intellectuals to waver in their public commitment to principles of justice and prompted journalists to take leave of the time-honored tradition of investigative journalism. That US boundaries were breached, that an unbearable vulnerability was exposed, that a terrible toll on human life was taken, were, and are, cause for fear and for mourning; they are also instigations for patient political reflection. These events

posed the question, implicitly at least, as to what form political reflection and deliberation ought to take if we take injurability and aggression as two points of departure for political life.

That we can be injured, that others can be injured, that we are subject to death at the whim of another, are all reasons for both fear and grief. What is less certain, however, is whether the experiences of vulnerability and loss have to lead straightaway to military violence and retribution. There are other passages. If we are interested in arresting cycles of violence to produce less violent outcomes, it is no doubt important to ask what, politically, might be made of grief besides a cry for war.

One insight that injury affords is that there are others out there on whom my life depends, people I do not know and may never know. This fundamental dependency on anonymous others is not a condition that I can will away. No security measure will foreclose this dependency; no violent act of sovereignty will rid the world of this fact. What this means, concretely, will vary across the globe. There are ways of distributing vulnerability, differential forms of allocation that make some populations more subject to arbitrary violence than others. But in that order of things, it would not be possible to maintain that the US has greater security problems than some of the more contested and vulnerable nations and peoples of the world. To be injured means that one has the chance to reflect upon injury, to find out the mechanisms of its distribution, to find out who else suffers from permeable borders, unexpected violence, dispossession, and fear, and in what ways. If national sovereignty is challenged, that does not mean it must be shored up at all costs, if that results in suspending civil liberties and suppressing political dissent. Rather, the dislocation from First World privilege, however temporary, offers a chance to start to imagine a world in which that violence might be minimized, in which an inevitable interdependency becomes

acknowledged as the basis for global political community. I confess to not knowing how to theorize that interdependency. I would suggest, however, that both our political and ethical responsibilities are rooted in the recognition that radical forms of self-sufficiency and unbridled sovereignty are, by definition, disrupted by the larger global processes of which they are a part, that no final control can be secured, and that final control is not, cannot be, an ultimate value.

These essays begin the process of that imagining, although there are no grand utopian conclusions here. The first essay begins with the rise of censorship and anti-intellectualism that took hold in the fall of 2001 when anyone who sought to understand the “reasons” for the attack on the United States was regarded as someone who sought to “exonerate” those who conducted that attack. Editorials in the *New York Times* criticized “excuseniks,” exploiting the echoes of “peaceniks”—understood as naive and nostalgic political actors rooted in the frameworks of the sixties—and “refuseniks”—those who refused to comply with Soviet forms of censorship and control and often lost employment as a result. If the term was meant to disparage those who cautioned against war, it inadvertently produced the possibility of an identification of war resisters with courageous human rights activists. The effort at disparagement revealed the difficulty of maintaining a consistently negative view of those who sought a historical and political understanding of the events of September 11 much less of those who opposed war against Afghanistan as a legitimate response.

I argue that it is not a vagary of moral relativism to try to understand what might have led to the attacks on the United States. Further, one can—and ought to—abhor the attacks on ethical grounds (and enumerate those grounds), feel a full measure of grief for those

losses, but let neither moral outrage nor public mourning become the occasion for the muting of critical discourse and public debate on the meaning of historical events. One might still want to know what brought about these events, want to know how best to address those conditions so that the seeds are not sown for further events of this kind, find sites of intervention, help to plan strategies thoughtfully that will not beckon more violence in the future. One can even experience that abhorrence, mourning, anxiety, and fear, and have all of these emotional dispositions lead to a reflection on how others have suffered arbitrary violence at the hands of the US, but also endeavor to produce another public culture and another public policy in which suffering unexpected violence and loss and reactive aggression are not accepted as the norm of political life.

The second piece, "Violence, Mourning, Politics," takes up a psychoanalytic understanding of loss to see why aggression sometimes seems so quickly to follow. The essay pursues the problem of a primary vulnerability to others, one that one cannot will away without ceasing to be human. It suggests as well that contemporary forms of national sovereignty constitute efforts to overcome an impressionability and violability that are ineradicable dimensions of human dependency and sociality. I also consider there how certain forms of grief become nationally recognized and amplified, whereas other losses become unthinkable and ungrievable. I argue that a national melancholia, understood as a disavowed mourning, follows upon the erasure from public representations of the names, images, and narratives of those the US has killed. On the other hand, the US's own losses are consecrated in public obituaries that constitute so many acts of nation-building. Some lives are grievable, and others are not; the differential allocation of grievability that decides what kind of subject is and must be grieved, and which kind of subject must not, operates to produce and maintain certain exclusionary

conceptions of who is normatively human: what counts as a livable life and a grievable death?

"Indefinite Detention" considers the political implications of those normative conceptions of the human that produce, through an exclusionary process, a host of "unlivable lives" whose legal and political status is suspended. The prisoners indefinitely detained in Guantanamo Bay are not considered "subjects" protected by international law, are not entitled to regular trials, to lawyers, to due process. The military tribunals that have, at this date, not been used, represent a breach of constitutional law that makes final judgments of life and death into the prerogative of the President. The decision to detain some, if not most, of the 680 inmates currently in Guantanamo is left to "officials" who will decide, on uncertain grounds, whether these individuals present a risk to US security. Bound by no legal guidelines except those fabricated for the occasion, these officials garner sovereign power unto themselves. Whereas Foucault argued that sovereignty and governmentality can and do coexist, the particular form of that coexistence in the contemporary war prison has yet to be charted. Governmentality designates a model for conceptualizing power in its diffuse and multivalent operations, focusing on the management of populations, and operating through state and non-state institutions and discourses. In the current war prison, officials of governmentality wield sovereign power, understood here as a lawless and unaccountable operation of power, once legal rule is effectively suspended and military codes take its place. Once again, a lost or injured sovereignty becomes reanimated through rules that allocate final decisions about life and death to the executive branch or to officials with no elected status and bound by no constitutional constraints.

These prisoners are not considered "prisoners" and receive no protection from international law. Although the US claims that its

imprisonment methods are consistent with the Geneva Convention, it does not consider itself bound to those accords, and offers none of the legal rights stipulated by that accord. As a result, the humans who are imprisoned in Guantanamo do not count as human; they are not subjects protected by international law. They are not subjects in any legal or normative sense. The dehumanization effected by “indefinite detention” makes use of an ethnic frame for conceiving who will be human, and who will not. Moreover, the policy of “indefinite detention” produces a sphere of imprisonment and punishment unfettered by any laws except those fabricated by the Department of State. The state itself thus attains a certain “indefinite” power to suspend the law and to fabricate the law, at which point the separation of powers is indefinitely set aside. The Patriot Act constitutes another effort to suspend civil liberties in the name of security, one that I do not consider in these pages, but hope to in a future article. In versions 1 and 2 of the Patriot Act, it is the public intellectual culture that is targeted for control and regulation, overriding long-standing claims to intellectual freedom and freedom of association that have been central to conceptions of democratic political life.

“The Charge of Anti-Semitism: Jews, Israel, and the Risks of Public Critique” considers one effort to quell public criticism and intellectual debate in the context of criticisms of Israeli state and military policy. The remark made by Harvard’s President, Lawrence Summers, that to criticize Israel is to engage in “effective” anti-Semitism is critically examined for its failure to distinguish between Jews and Israel, and for the importance of acknowledging publicly those progressive Jewish (Israeli and diasporic) efforts of resistance to the current Israeli state. I consider the consequential implications of his statement, one that expressed sentiments that many people and organizations share, for censoring certain kinds of critical speech by allying those who speak critically with anti-Semitic aims. Given how

heinous any identification with anti-Semitism is, especially for progressive Jews who wage their criticisms as Jews, it follows that those who might object to Israeli policy or, indeed, to the doctrine and practice of Zionism, find themselves in the situation of either muting critical speech or braving the unbearable stigma of anti-Semitism by virtue of speaking publicly about their views. This restriction on speaking is enforced through the regulation of psychic and public identifications, specifically, by the threat of having to live in a radically uninhabitable and unacceptable identification with anti-Semitism if one speaks against Israeli policy or, indeed, Israel itself. When the charge of anti-Semitism is used in this way to quell dissent on the matter of Israel, the charge becomes suspect, thereby depriving the charge of its meaning and importance in what surely must remain an active struggle against existing anti-Semitism.

The public sphere is constituted in part by what cannot be said and what cannot be shown. The limits of the sayable, the limits of what can appear, circumscribe the domain in which political speech operates and certain kinds of subjects appear as viable actors. In this instance, the identification of speech that is critical of Israel with anti-Semitism seeks to render it unsayable. It does this through the allocation of stigma, and seeks to preclude from viable discourse criticisms on the structure of the Israeli state, its preconditions of citizenship, its practices of occupation, and its long-standing violence. I argue in favor of the cessation of both Israeli and Palestinian violence, and suggest that opening up the space for a legitimate public debate, free of intimidation, on the political structure of Israel/Palestine is crucial to that project.

“Precarious Life” approaches the question of a non-violent ethics, one that is based upon an understanding of how easily human life is annulled. Emmanuel Levinas offers a conception of ethics that rests upon an apprehension of the precariousness of life, one that

begins with the precarious life of the Other. He makes use of the "face" as a figure that communicates both the precariousness of life and the interdiction on violence. He gives us a way of understanding how aggression is *not* eradicated in an ethics of non-violence; aggression forms the incessant matter for ethical struggles. Levinas considers the fear and anxiety that aggression seeks to quell, but argues that ethics is precisely a struggle to keep fear and anxiety from turning into murderous action. Although his theological view conjures a scene between two humans each of which bears a face that delivers an ethical demand from a seemingly divine source, his view is nevertheless useful for those cultural analyses that seek to understand how best to depict the human, human grief and suffering, and how best to admit the "faces" of those against whom war is waged into public representation.

The Levinasian face is not precisely or exclusively a human face, although it communicates what is human, what is precarious, what is injurable. The media representations of the faces of the "enemy" efface what is most human about the "face" for Levinas. Through a cultural transposition of his philosophy, it is possible to see how dominant forms of representation can and must be disrupted for something about the precariousness of life to be apprehended. This has implications, once again, for the boundaries that constitute what will and will not appear within public life, the limits of a publicly acknowledged field of appearance. Those who remain faceless or whose faces are presented to us as so many symbols of evil, authorize us to become senseless before those lives we have eradicated, and whose grievability is indefinitely postponed. Certain faces must be admitted into public view, must be seen and heard for some keener sense of the value of life, all life, to take hold. So, it is not that mourning is the goal of politics, but that without the capacity to mourn, we lose that keener sense of life we need in order to oppose

violence. And though for some, mourning can only be resolved through violence, it seems clear that violence only brings on more loss, and the failure to heed the claim of precarious life only leads, again and again, to the dry grief of an endless political rage. And whereas some forms of public mourning are protracted and ritualized, stoking nationalist fervor, reiterating the conditions of loss and victimization that come to justify a more or less permanent war, not all forms of mourning lead to that conclusion.

Dissent and debate depend upon the inclusion of those who maintain critical views of state policy and civic culture remaining part of a larger public discussion of the value of policies and politics. To charge those who voice critical views with treason, terrorist-sympathizing, anti-Semitism, moral relativism, postmodernism, juvenile behavior, collaboration, anachronistic Leftism, is to seek to destroy the credibility not of the views that are held, but of the persons who hold them. It produces the climate of fear in which to voice a certain view is to risk being branded and shamed with a heinous appellation. To continue to voice one's views under those conditions is not easy, since one must not only discount the truth of the appellation, but brave the stigma that seizes up from the public domain. Dissent is quelled, in part, through threatening the speaking subject with an uninhabitable identification. Because it would be heinous to identify as treasonous, as a collaborator, one fails to speak, or one speaks in throttled ways, in order to sidestep the terrorizing identification that threatens to take hold. This strategy for quelling dissent and limiting the reach of critical debate happens not only through a series of shaming tactics which have a certain psychological terrorization as their effect, but they work as well by producing what will and will not count as a viable speaking subject and a reasonable opinion within the public domain. It is precisely because one does not want to lose one's status as a viable speaking

being that one does not say what one thinks. Under social conditions that regulate identifications and the sense of viability to this degree, censorship operates implicitly and forcefully. The line that circumscribes what is speakable and what is livable also functions as an instrument of censorship.

To decide what views will count as reasonable within the public domain, however, is to decide what will and will not count as the public sphere of debate. And if someone holds views that are not in line with the nationalist norm, that person comes to lack credibility as a speaking person, and the media is not open to him or her (though the internet, interestingly, is). The foreclosure of critique empties the public domain of debate and democratic contestation itself, so that debate becomes the exchange of views among the like-minded, and criticism, which ought to be central to any democracy, becomes a fugitive and suspect activity.

Public policy, including foreign policy, often seeks to restrain the public sphere from being open to certain forms of debate and the circulation of media coverage. One way a hegemonic understanding of politics is achieved is through circumscribing what will and will not be admissible as part of the public sphere itself. Without disposing populations in such a way that war seems good and right and true, no war can claim popular consent, and no administration can maintain its popularity. To produce what will constitute the public sphere, however, it is necessary to control the way in which people see, how they hear, what they see. The constraints are not only on content—certain images of dead bodies in Iraq, for instance, are considered unacceptable for public visual consumption—but on what “can” be heard, read, seen, felt, and known. The public sphere is constituted in part by what can appear, and the regulation of the sphere of appearance is one way to establish what will count as reality, and what will not. It is also a way of establishing whose lives can be marked as

lives, and whose deaths will count as deaths. Our capacity to feel and to apprehend hangs in the balance. But so, too, does the fate of the reality of certain lives and deaths as well as the ability to think critically and publicly about the effects of war.

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