

# 'Bare Life' in Palestine

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## 'Bare Life' in Palestine

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JORDAN STREET, MAY 4 2013

### Coercion, Symbolic Violence, and Bare Life: Palestine

*"What will we do, before this death  
Adjacent to our lives  
We live and we don't live"*

*Mahmoud Darwish, Don't Apologize for What You've Done, 2004*

Olympe De Gouges, a French revolutionary feminist who was condemned to death during the French Terror, lamented: 'if women are entitled to go to the scaffold, they are entitled to go to the assembly' (Ranciere 2004:299). Law ruled over her life, but her life had no rule over the law. The struggle of the Palestinian race, most specifically the residents of the oppressed Gaza strip and other occupied territories, can be viewed in similar fashion. Without a say in the law subjected on them, they are still answerable to the rule of external force, and still metaphorically 'entitled to go to the scaffold'. This paper will attempt to apply the philosophy of Giorgio Agamben upon the example of Palestinian society, in a bid to investigate whether such a case is applicable to the concept of 'bare life'. It will be shown that the policies of the Israeli government have produced a scenario similar to a 'state of exception' in which Palestinian life and death is controlled and administered by the external sovereign. Viewed through such a paradigm, the paper will show that although Agamben's offerings are extremely relevant, they are not entirely complete due to the incomplete status of the process of resistance. Thus there will be additional contributions from Franz Fanon and George Ciccarello-Maher in a bid to complete the theoretical analysis. I will argue that resistance against the oppressor is compatible with such an argument, and in the case of the Occupied Territories, manifests itself through a process of symbolic violence. However, such resistance serves to support the structure of the sovereign power in creating a purer form of a state of exception.

The paper will use macro and micro levels of analysis, using both contemporary and historical examples to support the thesis supposed. The cases mentioned will seek to cover a broad range of events, with both the 2008 and 2012 Gaza offensives, as well as the detention camps in Southern Lebanon, providing the main evidence of brutal oppression. The historical relationship between Israel and Palestine, coupled with the day-to-day forms of blatant repression and abuse that is committed in Occupied Territories, will be assessed. For the purpose of this paper, it will be assumed that Israel is classified as a democracy, albeit a flawed one. While many in academic and dissident circles would question such a statement, the analysis of the paper will work under such notions.

### Palestine, Israel, 'State of Exception', and 'Bare Life': An Analysis

On its founding in 1948, the State of Israel adopted what was labelled 'Emergency Regulations' that were originally imposed on Palestine by the British Mandate in 1945 (Pappe 2008:148). Since then, Israel has adopted numerous policies that have limited access to water, land, jobs, resources, family members, and prevented virtually any movement. Furthermore, there have been hundreds of laws that allow Israel to 'declare any part of [Palestine] a closed military area (Pappe 2008:148). Israel is an occupying force in Palestinian territories, the Gaza Strip and the West Bank, after claiming approximately seventy-seven percent of historic Palestine for its own. The living conditions in the Occupied Territories are that of squalor and oppression for many residents. Walls have been constructed to surround the Gaza Strip, checkpoints manned by Israeli soldiers limit the movement of cargo, goods, and indeed

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people, while Israel retains control of the 'airspace, territorial waters, the population registry, the tax system, [and] the supply of services' (Korn 2008:116). It is almost without question that Israel is a restrictive force on the citizens of Palestine, as Alina Korn notes that Palestinians are, and have been since Israeli occupation began, living in conditions that 'resemble the classic ghetto' (Korn 2008:122).

More recently, the Gaza Strip has been transformed from this ghetto-like territory into a battlefield. In both 2008, and now in late 2012, Israel has launched disproportionate offensives that have resulted in the deaths of hundreds of civilians.[1] Palestinians are subject to the rule of law, but have no say or control in how that law is administered. What is created is a scenario in which Palestinians are included, but simultaneously excluded. This dynamic has been researched and developed by the Italian philosopher Giorgio Agamben, and it is at this point that the paper turns its attention to his writings.

Using the work of Carl Schmitt and Walter Benjamin to inform his thinking, Agamben uses ideas about the 'state of exception' to comment on contemporary democracies. The 'state of exception' for Agamben, is decided and administered by a sovereign power, which creates a 'no-man's land between political and legal' existence for those involved (Agamben 2003:10-11). This is not a state of anarchy or a Hobbesian conception of a state of nature, for it still retains a quasi-functional order. However, what manifests itself in a state of exception is the process of shifting indeterminate power to a sovereign rule, which has the ability to transform or suspend any legal or constitutional benefits that the 'abandoned' group have. Initially thought of as an emergency measure, as the term exception would suggest, it becomes much more than just that. It is, as Catherine Mills reads, a relation of power over the oppressed, as the sovereign decides what constitutes these exceptional circumstances, and in doing so, has complete control over life or indeed death of any of those in the zone of exception (Mills 2008:59-62).

Subjects in the 'state of exception' are reduced to the 'originary' form of life – the existence Agamben labels as 'bare life' (Agamben 1998:11-13). 'Bare life' is proposed as the 'intrinsic...relation between law and life establish through the exceptional structure of sovereign power' (Mills 2008:61). It is in essence the form of being that reduces the oppressed to the minimal form of life, in which 'life is exposed to death' in the 'politicised form' (Agamben 1998:88). The 'State of Exception', exemplified by the 'shifting power of sovereignty' and by the 'transforming of the constitution', is completed when these abnormal laws of exception become the norm (Pappe 2008:152-156). As this area of 'no-man's land' is administered in such a terrifying way, these acts begin to be viewed as normal or pro quo, and in this moment life inside is reduced to the 'lowest form of biopolitical' living – bare life (Agamben 1998:6-13). Life in this sovereign exception always 'subsists in relation to the law', while simultaneously 'law without significance passes into life' (Mills 2008:64). The subject is still politicised, but in its most basic form, in which it is placed in a state of 'abandonment' with the sovereign holding an 'unconditional power of death' (Agamben 1998:90). It is through this paradigm that the Palestinian struggle will be assessed and explained.

Palestinians in their Occupied Territories are subject to any law, regulation or juridical order that the state of Israel imposes. They are politicised by the external sovereign, but excluded from the polis at the same time. This inclusion and exclusion dynamic, discussed earlier, is exactly what manifests itself in the 'state of exception' (Mills 2008:64-69). Israel exerts constitutional authority over the Occupied Territories, and wields unprecedented control over every aspect of life. While the PA or Hamas claim to represent the people, and cater to their needs, their actions are inherently limited by the oppressing force of the external sovereign, which at any time can rescind certain legislations or enforce harsher and more brutal measures.[2] As Alina Korn shows, the Palestinians do not live in a lawless society, but actually they live at 'the opposite end of the continuum' (Korn 2008:123). A state of anarchy stems from the absence of an external authority to control life, whereas in Palestine, it is actually more appropriate to describe the situation as 'the exercise of limitless state power' (Korn 2008:123). Agamben's analysis is used primarily to show how contemporary democracies still practise oppressive techniques which allow 'bare life' to exist in a zone of exclusion (Agamben 1998:10). If Israel is considered a democracy, and there is a lot of debate such a point, then its policies seem to enforce this incubation of 'bare life' for Palestinians.[3] As Ronit Lentin suggests

'Judging by Israel's intricate regime of emergency regulations and the play between the judiciary, the legislature and the executive with regard to both Israel's Palestinian citizens and those Palestinians living under occupation, it does not take major leap of the imagination to extend the analysis (of bare life) to Palestine and Israel' (Lentin 2008:6).

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The Gaza Strip, according to international law, has been occupied since 1967, with all movements, needs and services controlled and decided by the Israeli forces. Accordingly, to wage a brutal military war against the very territory that is being occupying has no legal basis whatsoever. Thus, the two most recent offensives by the Israeli military in the Gaza Strip, December 2008 and November 2012, are fundamentally in violation of international humanitarian law (Haajar and Levine: 2012). On each occasion the Israeli Government claimed to be acting in self-defence, due to the barrage of dumb rockets fired from the border into Israel's territory, but proving this is problematic, especially when at least in the most recent conflict, the rocket attacks were said to be in response of the shooting of a five-year old Palestinian boy who strayed too close to the border (Haajar and Levine 2012). In each offensive, Operation Cast Lead in 2008 and Operation Pillar of Defence in 2012, Israel brutally attacked civilian areas causing hugely disproportionate deaths on the Palestinian side – which throws further questions up about the validity about the 'self-defence' argument. In Cast Lead some thirteen hundred Palestinians were killed with evidence of white phosphorus shells being used to indiscriminately kill many of them (Mason 2012:125). Approximately one hundred and sixty are feared to have been killed in the most recent conflict, with a large proportion of those being women and children, which could indicate a war-crime. Conflicts in which women and children are killed at the same rate as their male counterparts are indicative of genocidal methods, which are resolutely prohibited under international law.

In such a scenario we see all the indicators of a 'state of exception' according to Agamben's conception. Legal means had been taken by the Israeli government to ensure the occupation and to allow the military offensive. Undue sovereignty had manifested itself in the 'tanks, helicopter gunships, and snipers' that the Israel Defence Forces (IDF) used to carry out its objectives. However, more worrying, was that both conflicts are not viewed by other international actors, by Israeli citizens, or even by Palestinian citizens, as the exception. They are viewed as the norm. They are the norm. Which is exactly why, as Mark Levine and Lisa Haajar argue, it is hard to contest that Israel has 'literally placed the West Bank and Gaza and their populations into a state of exception' (Haajar and Levine 2012).

This case study illustrates just how grave the situation in Gaza is, as Israelis have created a system in which they have complete strength and immunity to pursue any policy desired. They control the life and death of Palestinians during such operations; they are as Agamben suggests 'permitted to kill without committing homicide' (Agamben 1998:83). In these instances Palestinian lives are trapped in zone between natural life and human life, or as Agamben posits 'a zone of indiscernability' (Agamben 1998:4). Offensives like Operation Pillar of Defence and Cast Lead, reduces Palestinian citizens to the purest form of 'bare life', in which they are placed in abandonment, with their life or death in the hands of the external sovereign.

Another such case that epitomises the thesis presented is the Al-Ansar mass detention camp in Southern Lebanon that was controlled by the Israel Defence Forces. Between 1982 and 1985, the Israeli forces held approximately fifteen thousand Lebanese and Palestinians at Al-Ansar, often with little or no evidence of any wrongdoing of those detained. Prisoners had limited access to food, healthcare, and other necessities, beatings and torture were commonplace and by no means the exception, while cells were filled with urine and faeces that at times rose to a knee-deep level (Khalili 2008:101-102). Such a structure of abuse on foreign soil was enabled by a process of constitutional amendments that created exceptions for necessary action. As Laleh Khalili argues, Israel created 'a specific legal and political setting for 'war prisons' that stripped persons of their juridical rights, gave function to extraterritoriality, and allowed differing definitions of sovereignty (Khalili 2008: 104). Furthermore she says, they authorities were granted the powers to amend or suspend any law or operation, while being enabled to apply any law 'with or without moderation' (Khalili 2008:106).

In essence the camp was the incarnation of the purest form of a 'state of exception', as horrifying atrocities took place on a regular basis under the auspices of amended legislations by an external sovereign. Israel pushed 'potential conflict and violence to outside the normal penal system, into a zone of security [that] allows for a politics of invisibility that unties the hands of violence workers and military' (Khalili 2008:112). Those inside al-Ansar had been reduced to a 'state of coma' in which they were helpless to the overwhelming force and violence inflicted upon them. The sovereign had complete control over the life and death of all those detained through the process of amending constitution to allow such a situation to fester. In such a scenario, all forms of resistance were futile, as any escape or attempted riot was crushed with incredible brutality (Khalili 2008:110-115).

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Catherine Mills stipulates that this dynamic is what separates the purest form of bare life from other similar scenarios. It is suggested that in such processes 'the aporetic violence...stymies any attempt to oppose biopolitical regimes from within the framework' (Mills 2008:75), which is embodied in the al-Ansar case. However, as we saw in the earlier case study of the Gaza offensives, there are methods of resisting within the Palestinian system (whether they are desirable or not). This begs the question – is there something missing from Agamben's analysis, if we are to successfully apply it to Palestinian struggle?

## Symbolic Violence: Resistance Through Appearing

The two cases presented at the end of the first section highlight the complete control the external sovereign has in a state of exception. They represent the creation of the purest forms of 'bare life', a state of living that is created by 'the machine', not one that 'presupposes it' (Agamben 2005:88). This is not to say that outside of these timeframes Palestinians break free from their 'state of coma', instead it is to highlight the unadulterated form of existence that is created in such scenarios.[4] Outside of these cases, the occupation and thus the oppression still exists, with the suspension of juridical protection being ever present. Killings at checkpoints, deaths from poverty, and torture in prisons still take place on a regular occurrence. However, it cannot be denied that the Palestinians do exhibit forms of resistance that some would suggest is not consistent with the most lucid forms of a 'state of exception'.

Antonio Negri and Michael Hardt claim that the analysis of bare life that Agamben offers supposes a set of subjects that are 'fundamentally passive in relation to sovereign violence' (Hardt and Negri 2000). In the case of Palestine, it is immediately clear that passivity is not the only response to the oppression, which suggests that perhaps there is a gap in Agamben's analysis. Lentin's reading of Agamben contests this point, as he suggests that the state of exception does include a 'potential right to resistance' (Lentin 2008:11). Likewise, Catherine Mills too argues that resistance does occur in these scenarios (Mills 2008:74-78). Conversely, she goes on to say that Agamben argues that resistance does not exist in a vacuum, and in the state of 'bare life' it can have negative counterproductive effects. However, the cause and function of resistance is not fully elaborated in either Mills's reading, or Agamben's initial work.

In Palestine we see forms of resistance, and through the paper's analysis, it can be understood that they are directed at breaking the cycle of oppression and the state of exception that Israel created.[5] However, what is not fully recognised is what the resistance is aimed at, what the process of the resistance is, and what the eventual effect of the resistance is. In Lewis Gordon's reading of Frantz Fanon, he describes a process in which the oppressed subject – for Fanon the black man but for the purpose of the essay the Palestinian – is placed in a 'hellish zone of nonbeing...a zone of neither appearance or disappearance' (Gordon 1997:11). Immediately the parallels with Agamben's state of exception can be drawn, with the inclusion and exclusion dynamic exhibited through the analysis of appearance. Similarly, Gordon elaborates this tendency by suggesting that within such a process, the only 'acceptable being is nonexistence, nonappearance, or submergence' (Gordon 1997:12). Once again we can see the parity here between men in 'bare life' who cannot participate politically nor have any control over their life. However, as we see in Palestine, resistance does still emerge out of such scenarios, and perhaps Frantz Fanon's work in *Black Skin, White Masks* best explains this.

It is suggested that in the face of prolonged occupation and oppression, resistance is not only common, it is expected. Fanon's analysis suggest that the oppressed subjects get to a point in which occupation is no longer accepted, and resistance manifests itself in a desire to rid the colonisers from the native lands (Fanon 1967). This change is expected, argues Gordon, but the dynamic of such change is the interesting point of analysis. In the desire to break out of oppression, or in this case 'bare life', the subject attempts to do what he currently does not: appear. Appearance is primary to resistance, for without appearing, one cannot hope to resist. However, the function of such appearance can have adverse consequences in such scenarios. Gordon writes:

'To change things is to appear, but to appear is to be violent since that group's appearance is illegitimate. Violence in this sense need not be a physical imposition. It need not be a consequence of guns and other weapons of destruction. It needs to be simply appearance' (Gordon 2007:12).

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Even when this resistance, personified by appearing, is nominally violent, the 'ontological function' is ignored (Ciccariello-Maher 2010).

Palestinians want to break out of their oppression and injustice; they want to break out of the "abandonment". To do this, they challenge the 'walls of exclusion which divide being from non-being – and as a result of this disruption, appearance historically appears as 'violent regardless of its content' (Ciccariello-Maher 2010). Fanon argues that the resistance exhibited that is technically violent, such as rocket attacks and suicide bombings, is 'utterly incommensurable in both its actual and (more fundamental) symbolic forms with violence of the racist/colonizer' (Ciccariello-Maher 2010). The ontological function of appearance is not valid in the Israeli case, and moreover the sheer force and means at the disposal of the IDF means that dumb rocket attacks and amateur suicide bombings cannot be on par with the large scale airstrike and bombing campaigns that have been carried out.

Moreover, Fanon's work proposes that the reason the oppressed subject uses violence as a means of resistance is because the process is initiated by the oppressor. The oppressed populations, he notes:

'of whom they have never stopped saying that the only language [they] understand is that of force, decides to give utterance by force. Indeed the argument the native chooses has been furnished by the settler, and by an ironic turning of the tables it is the native who now affirms that the colonialist understands nothing but force' (Fanon 1967:15-16).

This intriguing dynamic, coupled with the desire to appear, helps inform why forms of resistance manifest themselves through symbolically violent means. Consider the two state forms of resistance in Palestine, rocket attacks and suicide bombings, for example. Both are nominally violent by nature, but both have ontological function too. Rocket attacks show the appearance criteria, as those involved in the process no longer wish to be passive in the face of their oppression. Of course, all involved in the rocket attacks know that they will not cause lasting material damage or rarely will they produce casualties, but instead it is the appearing as a witness aspect that is key for the resistance. Suicide bombings perhaps have an even greater ontological function, as argued by May Jayussi. Her reading of why Palestinians have historically used suicide bombings as a technique, suggest that in their desperation to break out of 'bare life' the 'Palestinian snatches the responsibility for his own life and death from the Israeli occupiers' by carrying out a suicide bombing (Jayussi 2008). Such a suggestion has a captivating significance, as resistance from the oppression is deemed so crucial that one is willing to take their own life than allow the oppressor to control it any more.

In Palestine both methods of resistance are part of the process of attempting to break out of the 'state of exception' and take responsibility for ones own life. However the effects of such actions are considerably different. This is where Agamben's analysis comes back into the picture, and in the case of Palestine seems to fit perfectly. Mills review of Agamben suggests that any 'attempts to overcome the capture of life with the sovereignty exception through recourse to natural life necessarily repeats and reinstalls the capture in their politicization of natural life' (Mills 2008:76). By this Agamben means that any reversion to violence by the oppressed subjects creates an oxymoronic situation in which attempts to be included leads to further exclusion.

Agamben's analysis can be used to explain why Palestinian resistance over the past sixty-five years has appeared so futile at times. Resistance from a process of bare life is caught in a catch-22: the only option open to those who do not wish to accept their oppression contributes further to that same oppression. This dynamic, in which methods of resistance such as rocket attacks and suicide bombings are used as justification for more excessively violent measures, is repeated continuously by the sovereign force. The adage "damned if you do and damned if you don't" seems entirely relevant. In attempting to be seen, subjects become not seen to a greater extent. In attempting to be included, subjects become excluded to a greater extent. And in attempting to grab control of one's life, subjects lose more control over their own death. Palestinian resistance more oft than not provokes a greater response from the Israeli side, which escalates oppressive measures and launches new offensives. Catherine Mills proposes that 'the implication...for a theory of political resistance is that Agamben must locate the possibility for resistance' outside the process of bare life (Mills 2008:76). Bare life is structured in a way that the subject can never fully break out of the struggle through internal means, and it is only through external pressure or help, can the state of exception be

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destroyed. The futility of resistance exhibited in the Occupied Territories, a state of exception for at least thirty years, seems to support this thesis. While Fanon and Gordon offer extremely useful contributions explaining the function and effect of resistance, it is Agamben who completes the picture. Resistance in bare life reinforces the oppression to purer and more coercive forms.

## Concluding Remarks

The death that remains adjacent to life, as Mahmoud Darwish deplores, is exemplified in the argument put forward by this paper. It has been shown that using the analysis of Giorgio Agamben coupled with contributions from Frantz Fanon and George Ciccariello-Maher, the Israeli occupation in Palestinian Territories can be postulated as a State of Exception, in which Palestinians are reduced to forms of bare life. Through the analysis of the recent conflicts in the Gaza Strip, OCL and OPS, as well as a brief historical study of the al-Ansar refugee camp in Lebanon, we can see examples in which the 'juridico-political system' of Israel has 'transformed itself into a killing machine' (Agamben 2005:86). Through the exegesis of Agamben's work, it has been shown that day-to-day conditions in the Occupied Territories constitute a 'permanent spatial arrangement' in which all Palestinians are 'potentially homino sacri' – humans to be sacrificed (Agamben 1998: 169, 84). While the case studies analysed show examples of the purest forms of Israeli imposed sovereign violence, this permanent state of exception in the Gaza Strip and the West Bank, create a situation in which no Palestinian has control over his life and death.

Resistance, in the form of symbolic violence, directed at the occupier, serves the function of providing the opportunity for subjects to appear, and in some cases takes the responsibility of their life into their own hands. However, as resistance over the past thirty five years has been answered with an onslaught of harsher daily living conditions, violent military campaigns, and a further slip into a pure state of exception, it can be assessed that Agamben's view, that resistance in forms of bare life lead to the reinforcement of those conditions, seems to have manifested itself in Palestine. Palestinians adjacent to their lives – live and do not live at the same time.

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[1] In 2008, the death toll of Palestinians was approximately 1300, while in 2012 during the 8 day November offensive, approximately 150 civilians were killed. For an interesting resource detailing recent deaths in Palestine and Israel see: [http://visualizingpalestine.org/sites/default/files/images/inforgraphics/vp-violence-timeline-2012-11-23\\_0.png](http://visualizingpalestine.org/sites/default/files/images/inforgraphics/vp-violence-timeline-2012-11-23_0.png) (date accessed 28/11/2012)

[2] The PA represent the West Bank, while Hamas represent the Gaza Strip.

[3] Ilan Pappé argues that Israel cannot be labeled a democracy, and uses this as justification for why Agamben's analysis does not fit the Palestinian situation. For more see Pappé 2008.

[4] Agamben's analysis suggests that the purest form of 'bare life' was sustained by the Nazi's in the Concentration Camps.

[5] There are many forms of resistance that do not involve nominal violence, but this paper will focus mainly on rocket attacks and suicide bombings.

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*Date written: December 2012*