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Wagner, Roy 

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Silence as Resistance before the Subject, or Could the Subaltern Remain Silent?

Abstract: This text considers several case studies of subaltern silence as micro political resistance. Around these examples I thread a theoretical model (using ideas of such thinkers as Spivak, Bataille, Foucault and Baudrillard) to explain how performing silences could resist oppression without assuming an underlying well-articulated subjectivity. The paper deals with the force of silence, its conditions of possibility, and its position with respect to representation.

Case Study I: Silence's power potential

In the month of January the Immigration Administration arrested an anonymous person, whose looks indicate that he's probably a citizen of an African country. Since his arrest, for nearly 5 months, the anonymous person did not make contact with his surroundings, does not speak and does not communicate. Most of the time he lies in bed and watches (or stares at) the television [...] [N]o one has managed to ascertain why the detainee does not speak or communicate, but the fact remains that he is held in detention for about 5 months, and one is concerned that he will go on staying in detention for many days to come (Sa'ar, 2004).

In the protocols of the Israeli Custody Tribunal, this silent detainee is referred to as "anonymous", as "John Doe Deaf Mute", and as a citizen of "Nigeria (?)" (Custody Courts, 2004). I will use the sign ; to name this silent detainee (as well as all other silent persons quoted in this text).ⁱ Without speech and documents it is impossible to identify ; and therefore to deport him. But this does not mean that ; did not suffer violence from the hands of the State. ; was first detained for two months, then released for four months, detained again for seven months, and then released again to stay in a homeless shelter and work at a soup kitchen. A year later ; was severely beaten by Immigration Police officers looking for people they consider illegal aliens. ; was arrested, and released shortly after. And yet, despite all these tribulations, ;'s silence allowed him to obtain something that other people in similar positions could not: immunity from deportation, and limited access to charity.ⁱⁱ

Who's silent?

Before we begin to analyze the potential for power embedded in silence and the relation between this potential and the violence documented above, we must clarify what we mean by *silence* in this text.

Silence here is not an absolute stance polar to speech and is not a position of ontological annihilation. Silences in this text are embodied actions in the world. They are discussed here as *performatives*, invoking the underdeterminacy and iterability assumed by this termⁱⁱⁱ (but this does not imply that silences can only be read as performatives; nor does it imply that I reduce speech here to its constative aspect – Even Austin (1976), who did more than anyone to articulate speech *acts*, ended up problematizing the validity of the speech act / constative speech binary). We follow a strand of research that tries, instead of deciphering the various meanings and causes of silence, to observe what silences do, or, in our context, how they can serve as techniques for micro political resistance.^{iv}

We further restrict our scope to a certain kind of position from which silence is performed. To articulate this position note that recognizing the performance of a person as silence depends on discursive frameworks and partners. The judge who reviewed ;'s case in Be'er Sheba's psychiatric hospital stated that "the detainee refused to cooperate with the arresting unit, and among other things refused to state his name or any other identifying details" (Custody Courts, 2004), but four months later another judge wrote from the Tsokhar prison that ; "lies motionless for days, weeks and months, does not respond to his surroundings, and occasionally requires urgent hospitalization for fear for his life" (despite the fact that the "above mentioned person was admitted to a psychiatric hospital and was found fit for detention")

(Custody Courts, 2004). On the other hand, a physician who examined ; on November 2005 following his assault by the Immigration Police claimed that ; “is deaf and dumb, does not communicate in a clear language but understands sign language” (Hotline for migrant workers, 2005). The communication between the physician and ; was fluent enough for the physician to state (following a foreign object discovered in ;’s stomach in a CT examination) that “in a conversation with the manager [of the hostel] where he resides, [;] claims that he did not swallow anything – such as a bag with substances – understands in conversation with him that if he swallowed an illegal substance he is in danger” (Hotline for migrant workers, 2005). The three different descriptions we have here (a conscious communication refusenik, a catatonic patient, and a communicative deaf and dumb person) depend on the observer and on the ways in which the silent person performs his silence.^v

Gayatri Spivak opens the last paragraph of her seminal *Can the Subaltern Speak?* with the statement that the “subaltern cannot speak” (Spivak, 1988: 308). But, as above, this inability to speak depends on the ambient discourse and discursive partners. The issue is not only the lack of an opportunity or linguistic capacity to speak and be heard (silencing), but the discursive mechanisms that render ;’s oppositional statements senseless, useless and unworthy of replication (possibly even for ; herself). The subaltern cannot speak wherever her speech is mediated through interpretation and replication mechanisms that foreclose her exercise of power through speech.

This foreclosure that Spivak sets out is complex. On the one hand, she states that hypothesizing that “beyond [various formations of representation] oppressed subjects

“speak, act, and know *for themselves* [entails] an essentialist, utopian politics” (Spivak, 1988: 276). On the other hand she rejects Foucault's verdict that “repression functions as [...] an injunction to silence, affirmation of non-existence” (Spivak, 1988: 306). For Spivak “There is no space from which the sexed subaltern subject can speak” (Spivak, 1988: 307), but she marks this “place of ‘disappearance’”, the place from which ; is silent, “with something other than silence and nonexistence, a violent aporia between subject and object status” (Spivak, 1988: 306).^{vi}

This aporia is still a theoretical and practical challenge for those who try to bridge some contemporary strands of critical theory and political practice. Given contemporary theoretical focus on differences and on the plurality of voices, and given the practical focus (at least where I write from) on direct action and participating solidarity, such questions arise as: “how does one avoid the erasure of subalterns and their marginalization by representation?” and “should we try to reform subaltern aporetic discursive positions into more coherent ones, or should we explore how power can be channeled through these positions?”. It therefore seems useful to devote some space for an exclusive focus on silences performed by subalterns living Spivak's “violent aporia”.

We should remember that subaltern silences are performed in different power structures, and the examples below will show that they are indeed confronted in very different ways. What binds them together for this text is not some hypothesized underlying lived experience, but their construction as aporetic by a discourse that violently projects conflicting subject and object positions on them. But since such silences are not one, and since our purpose here is not to taxonomize or generalize,

but to explore some possibilities of resistance through silence, we will proceed with a string of examples. Around these examples I try (building on Spivak's "aporia between subject and object status" and the instability inherent in performance) to quilt^{vii} several complementing theoretical models of subaltern silence, which go beyond the assumption that silence is the result of silencing, into a model of silence as potential resistance. The models will be derived from a sequence of texts relevant to the structural and post-structural traditions. None of the quoted thinkers will get a full survey of their thinking on silence or resistance – I will only extract some useful components of their thinking. Indeed, I believe that one would better serve the academic setting I'm writing from by thinking around and through the post/structural tradition to understand contemporary problems, rather than by using contemporary problems to reaffirm the articulation of this tradition into oppositional binary poles (structuralism vs. its "post").

Case Study II: Battle between silences and speech

A., an agent of the French security services in Algeria, goes to Franz Fanon for therapy. He hears voices that keep him up at night. The patient soon starts speaking of torturing Algerians.

"Sometimes," he went on to explain, "you feel like telling them that if they had any consideration for us, they'd cough up and not force us to spend hours on end squeezing the information out of them word by word. But you might as well talk to the wall [...] So of course we had to give them the works. But they scream too much. At first it made me laugh. But then it began to unnerve me [...] Of course, there are those who don't scream: those are the hardliners [...] We first try and get them to scream, and sooner or later they give in.

That's already a victory. Then we continue. Mind you, we'd prefer not to. But they don't make things easy for us. Now I can hear those screams even at home. Especially the screams of the ones who died at the police headquarters. Doctor, I'm sick of this job. If you can cure me, I'll request a transfer to France. If they refuse, I'll resign" (Fanon, 2005: 195-196).

It turns out that not only speech, but subaltern silence too is a site of struggle. The agent's primary role is to undo the victim's silence, even if the victim actually has nothing to say. But here the power generated by silence and the violence that counters it undermine the psychic coherence not only of ;, but also of the one who extracts his voice. Sometime later the French agent accidentally encountered one of his victims in hospital. The agent was found by Fanon "leaning against a tree, covered in sweat and having a panic attack" (Fanon, 2005: 196). The same encounter led ;, the victim, to attempt suicide.

First model: Derived from Bataille's reading of de Sade

Here we begin analyzing the site of struggle presented in the case studies above – the site where silence realizes its potential for power and confronts authority. Our first step is extracted from Bataille's reading of de Sade in *Erotism* (Bataille, 1986).

"De Sade", Bataille explains, "speaks, but he is the mouthpiece of a silent life, of utter and inevitably speechless solitude" (Bataille, 1986: 188-189). Bataille places de Sade between

two heterogeneous parts which never blend. One part is purposeful, given significance by utilitarian and therefore secondary ends; this part is the one we

are aware of. The other is primary and sovereign; it may arise when the other is out of gear, it is obscure or else blindingly clear: either way it evades the grasp of our aware intelligence (Bataille, 1986: 193).

Whereas the first side contains “language[, which] is by definition the expression of civilised man”, the opposite side is that of “violence” which “is silent”: civilized speech vs. silent violence (Bataille, 1986: 186). Indeed, according to Bataille (1986: 186) “civilisation and language grew *as though* violence was something outside” (the emphasis of “as though” is mine; bear it in mind, we will come back to it shortly). Therefore, “Common language will not express violence [...] If violence does occur, and occur it will, it is explained by a mistake”, an infringement of the proper order of things. But “Violence is as stubbornly there [...] and if language cheats to conceal [violence,] language is the poorer [...] not violence” (Bataille, 1986: 186-187).

De Sade is important for Bataille because his “writings reveal the antinomy of violence and awareness” (Bataille, 1986: 194). De Sade writes across the border between civilized speech and silent violence. He attempts to live at once these two “heterogeneous parts”. Such writing across the border places de Sade in a position where “normal men [...] obviously could not understand him. His plea”, which tries to speak for that which is outside intelligible speech “could not have any meaning”. The same meaninglessness extends to ;’s nonviolent silence as well, which also short-circuits the supposedly contrary terms.

I open with Bataille's stipulated contrast between civilized speech and violent silence because it explains the conjunction of silence and violence by noting their common

opposition to reasoned, civilized speech. Bataille derives (and, as we will see, also challenges) this contrast by reading de Sade, but he articulates it as a broad phenomenon relevant to his contemporary bourgeois civility no less than to 18th century French aristocracy. The many differences between Bataille's bourgeoisie and the setting of our case studies notwithstanding, the claim of contrast is stated in terms broad enough to warrant its attempted application to the relation between subaltern silence and agents that speak for order in modern civilized states. The African migrant's silence quoted above, for example, in opposing civilized speech, subjects him to violence and places him on the side of unreason (assault, jail, psychiatric institution). The Algerian victim's silence, in opposing civilized speech (recall the 'kind' rhetoric of his torturer),^{viii} unleashes the torturer's violence on ; and later leads both to succumb to the unreason of a panic attack and attempted suicide (note that ;'s silences – refusal to identify or cooperate with intelligence agents – are not protected by a right to silence that's inscribed in the words of some civilized law).

But to continue working with Bataille's ideas, some finer tuning is required. First, recall Bataille's "as though" qualification of his articulation of violence as exterior to civilized language. Civilized discourse is indeed an order that depends to a large extent on deferring, sublimating and symbolizing violence – actual violence is an expensive and unstable way to maintain order. But this does not imply that civilized speech and silent violence are mutually exclusive.^{ix} Indeed, Bataille is well aware that the oppositions speech/silence and civilization/violence are articulated from within civilized speech in order to hide its own violence.^x That's precisely why the recognition of the African migrant's performance as passive silence or as deliberate enunciation depended on the discursive partners operating the scene.

Indeed, according to Bataille, de Sade himself challenges the speech/silence opposition. De Sade “speaks [for] a silent life”, but in doing so he is far from being silent. De Sade “spoke out, as violence never does” (Bataille, 1986: 190). Speaking for violence and silence, de Sade “attributes his own attitude to people who in real life could only have been silent, and uses them to make self-contradictory statements” (Bataille, 1986: 188). De Sade covers over silence with echolalia or graphomania.

Still, there are two aspects common to de Sade’s echolalia and ;’s silence that are relevant for us here. First, they both breach the “as though” opposition between civilized speech and silent violence. In both cases, silence and violence do not reinforce each other, as would be expected from their common opposition to civilized speech, but confront each other. When violence is performed by one body and silence by another (the silent ; and a speaking torturer or officer of law; the speaking de Sade and his victims who, if they speak at all, speak only through him), violence, now confronted by its supposed structural ally (silence), is placed in an odd position that may end up restraining it. Indeed, some of the energy of violence may end up being transformed into speech or into making another speak. Violence is still applied, but doesn’t exhaust its potential to exclude, that is to kill or banish.

Second, the fact that neither de Sade nor ; remain within the confines of civilized speech or of its mirror image (silent violence) places them beyond what civilized meaning can fathom. We conclude, with Bataille, that neither “could [...] have any meaning” – one cannot extract an authentic voice from behind such speech or silence.

We can extract from Bataille's reasoning the idea that something in de Sade's conjunction of speech and violence "changes violence into something else [...] a reflecting and rationalised will to violence" (Bataille, 1986: 191), or in other words, literary descriptions of violence. By inverting the terms of this formula we may conjecture that ;'s conjunction of nonviolence and silence would change silence into an unconscious and irrational will to discourse, or in other words, an unarticulated position of resistance. We obtain a model where both spoken violence and silent opposition to violence breach the "as though" contrast between the "heterogeneous parts" of human existence (civilized speech and violent silence). In this model both de Sade's and ;'s positions cannot "have any meaning", but these "meaning"less breaches do have power, a powerful "will to [...]". Those powerful "will"s, which do not necessarily depend on conscious agency nor on articulated subjectivity, which are not thoroughly commensurate with either violence or discourse, are the scene of this paper.^{xi}

Case Study III – Silence and discourse relations

Bataille starts from an "as though" opposition between silence and discourse. To better articulate this idea, we will move on to a model that can be appropriated to provide a clearer positioning of silence with respect to discourse. But to get there we need another example.

A settler from the South Mount Hebron area is marching toward ;, a Palestinian shepherd. ; and his sheep are in a patch of land that the settler considers too close to the settlement Mitzpe Ya'ir. I (as an Israeli activist) try to engage the settler in conversation so as to keep him away from ;, but fail. The shepherd stays silent,

ignoring the settler's yelling and hand waving. The settler threatens ;: "One day, Ta'ayush won't be here, and Ezra won't be here, and I, *ana ihrab betak*".^{xii} Then, failing to generate an exchange with ;, Haim, the settler, gives up his initial stance, approaches me, and tries to convince me that he, the settler, is my brother, and that one day we will both stand together at war against ; and his people.



"One day, Ta'ayush won't be here, and Ezra won't be here, and I, *ana ihrab betak*"

In this encounter, Haim, facing ;'s silence and lack of access to Hebrew, must use the other's language, Arabic, in order to convey a message (Haim's accent, however, makes it unclear whether ; can decipher that message at all). ;'s position, present but not verbalized, was in turn represented by me. Then, facing ;'s silence, Haim had to abandon his original stance of ignoring me, and tried to reform the mangled discursive structure by asserting that we, Haim and I, were on the same side, and that ; was our common enemy. Within that encounter the silence of a marginalized person forced a rearrangement of discursive relations.

But it would be wrong to analyze ;'s silence without reference to the shadow cast upon it by a camera (bottom right). If it weren't for the presence of an activist with a camera, regardless of ;'s choice between unintelligible speech and silence, the chances that the encounter would have resulted in actual violence rather than in a rearrangement of discursive positions would have been greater.

Second model – Derived from Foucault's comments on the limits of discourse

;'s performance of silence undoes the fabric of discourse and rearranges the positions set within it. ; does not speak, and the entire conversation is held between two subjects of Israeli political discourse. But the silence present at the margins of this discourse, the kind that I articulated above as an unintelligible and unreasoned will to discourse, undermined this discourse's very articulations.^{xiii}

A model that accounts for this situation can be intercepted from Michel Foucault's *Archeology of Knowledge*. "Discursive relations", Foucault explains,

are not, as we can see, internal to discourse: they do not connect concepts or words with one another; they do not establish a deductive or rhetorical structure between propositions or sentences. Yet they are not relations exterior to discourse, relations that might limit it, or impose certain forms upon it, or force it, in certain circumstances, to state certain things. They are, in a sense, at the limit of discourse: they offer it objects of which it can speak, or rather (for the image of offering presupposes that objects are formed independently of discourse), they determine the group relations that discourse must establish in order to speak of this or that object, in order to deal with them, name them,

classify them, explain them, etc. These relations characterize not the language (langue) used by the discourse, nor the circumstances in which it is deployed, but discourse itself as a practice (Foucault 2002: 50-51).

Discourse relations are not implicit or explicit formal rules. In that sense they are bound to silence. But despite the power they exercise in “offer[ing]”, “determin[ing]” and “characteriz[ing]”, they do not “impose” or “force” themselves on discourse from an “exterior”. This positioning articulates their relation to violence as limited. I suggest that ; be theoretically positioned (together with many other elements forming discursive relations) at this “limit of discourse”, and that her power be effectuated through this positioning where discourse relations are formed. ;’s performance of silence from the margins has a formative, more or less powerful, impact on discourse.^{xiv} This powerful silent resistance needn’t manifest in violence. Violence, however, at least symbolic violence, may be required of agents trying to exclude ; from her marginal position and force her to speak as subject inside a dominant discursive formation that appropriates her statements and forces them to conform with subordinating lines of division.^{xv}

Of course, some silences are well articulated enunciations within a given discursive formation (staged dramatic pauses are an example). But the silences I am concerned with here are precisely those that are difficult to fit into a given discursive formation, those that manifest their supplementary force and exceed their role as well-formed propositions. While not internal to discourse, these forces are neither foreign to discourse, nor independent of it. The powerful role of silence I am trying to articulate is that which “deploys a dispersion that can never be reduced to a single system of

differences, a scattering that is not related to absolute axes of reference". It is not about discovering "in the depths of things said, at the very place in which they are silent [...] a recollection of the original or a memory of the truth. On the contrary, its task is to *make* differences: to constitute them as objects" (Foucault 2002: 226). Our next case studies and theoretical sources should therefore help us understand, beyond Foucault, how silence "*make[s]* differences" and "constitute[s] objects", and how such objects can resist.^{xvi}

Case Study IV – Some who cannot speak their names

The following examples are a sort of detour, as they concern a very restricted form of silence. Those who perform this silence are silent only with respect to their identification, or in Judith Butler's words, with respect to their "invocation of the 'I'".

Butler explains that where

there is an "I" who utters or speaks and thereby produces an effect in discourse, there is first a discourse which precedes and enables that "I" and forms in language the constraining trajectory of its will. Thus there is no "I" who stands *behind* discourse and executes its volition or will *through* discourse. On the contrary, the "I" only comes into being through being called, named, interpellated [...] Indeed, I can only say "I" to the extent that I have first been addressed, and that address has mobilized my place in speech [...] recognition is not conferred on a subject, but forms that subject (Butler, 1993: 225-6).

We will first present the examples, and then explain their relevance.

Okhcha (derived from the Arabic word for sister), is, according to an Israeli slang dictionary published on the website of an NGO for youth at risk, “a common term for an effeminate gay boy. These are mostly the gays who suffer verbal abuse and humiliation in schools, because their sexual orientation so called ‘shows’” (Y elem, 2005).

Expressions of the form “I am an okhcha” are rare, and are not required to confirm the statement “s/he is an okhcha”. A brief Google survey shows that while among the first thirty identifications of persons under the term *homo* (rough Hebrew equivalent for gay) nine were in the first person, for okhcha only two first person identifications were recorded. The identification of a person as an okhcha often depends on certain performatives acquired in a process of socialization into communities whose members often deny their identification as okhchas.

An example of such disavowal is available in an interview conducted by communication scholar Amit Kama (2003) with a person who was given the alias Tal.^{xvii} At some point Tal brings up the tension between being identified as a *sissy* (English in the original) and his refusal to self-identify as one: “I wasn’t a sissy. That’s how I perceive myself. But I was [...] quiet and not at all a show off [...] Suppose the boys were told to go here and girls to go there, so like: ‘what are you doing here? Go there’. [...] I remember that when I moved to junior high, [...] there were two boys who said, who called me sissy” (Kama, 2003: 117).

One criterion that serves Tal to identify others as effeminate gays is certain items of clothing: “When I so called ‘came out of the closet’ [...] I said: ‘What? Am I them?’

It's like I'd see all the girly boys with shorts and pink tank tops. You know, come on! There are those effeminate gays, the girly boys [...] who were the objects I first saw and identified as gay" (Kama, 2003: 99). But note that despite Tal's dis-identification with effeminate gays, he meets, at least in part, his own criteria for establishing an effeminate gay identity: "Two years ago they invited me [...] to do a reunion party in the school I'd attended [...] I was standing in the same gym, where I was dancing, I was wearing tights and a tank top, and I was supposed to show them the choreography [...] there were people who looked through the windows and called, who's that female?" (Kama, 2003: 117). Rather than endorse this identification, Tal sees himself as "showing [...] an alternative way of being a man" – an alternative he refuses to name. As an *okhcha* he is silent; when he speaks, he speaks from "an alternative way of being a man". He speaks, but not from the position where discourse (which Tal does endorse with respect to others) places him. His "I" and the discourse's interpellation are out of synch. In the discursive situation of that academic interview the *okhcha* could not speak as him/herself.^{xviii}

The following intervention by French psychoanalyst Françoise Dolto (a colleague of Lacan who specialized in children and their communication disorders) may clarify the position of those who cannot speak their names. "I had an example yesterday, with a mute child who drew eyes without ears. I told him (as he was mute), 'it's not surprising that he couldn't speak, this one, because he has no mouth'. He tried to draw a mouth with a crayon. But he placed it on the child where it cut off the neck. He would lose his head if he spoke; he would lose his intelligence; he would lose the notion of vertical body, if he spoke" (Lacan, 2005: 62).

I will argue that, just as that child “would lose his head if he spoke”, so would a self-identified okhcha lose, if not his/her very identity, at least an important aspect of this identity’s potential to convey power. I will argue that the way in which “discourse enables [the okhcha] and forms in language the constraining trajectory of its will” introduces a conflict between the enunciation “I am an okhcha” and the okhcha’s power to resist (other discursive positions, we may easily extrapolate, could depend on performing silence to survive).^{xix} To articulate the power that the position of okhcha allows for, but that self-identification as one may undo, we need to sew in the next theoretical step.

Third model –Baudrillard’s forceful objects

As we saw above, subjectivity arises from responding to interpellation with a quoted “I”. But being identified, as we saw above, is not conditional on self-identification and responding to interpellations. The African migrant from our first case study, for instance, was identified as deaf and dumb without his confirming this identification. His silence enabled him to escape being identified by name and citizenship, but the identities ; was burdened with – deaf and dumb and illegal alien – did not require his confirmation. Such identities, which do not depend on responding to interpellation in given discursive situations, we shall term here *object identities*. The identities of illegal alien, dangerous Palestinian and okhcha, which we met above, are object identities.

Object and subject identities needn’t be constructed as opposites. They can co-exist. In educational frameworks, for example, national identity may depend on subject-forming interpellation, but at the border control it is much more a question of

objectifying documentation. We should also avoid a naïve portrayal where one is necessarily helpless concerning object identification. One may adopt behaviors that facilitate some object-identification in some discursive situations and avoid them in others. But this should not be taken to imply that behind object performances there's a sovereign Subject who can independently choose between performing this or that identity. Indeed, object identities depend on the agents who make object identifications, and often enough one would be hard pressed to avoid being objectified.

To better appreciate the relation between speaking/silence and subjectivity/objectivity, let's consider one of Lacan's formulations of a basic structuralist tenet.

The effect of language is to introduce the cause into the subject [...] For his cause is the signifier, without which there would be no subject in the real. But this subject is what the signifier represents, and the latter cannot represent anything except to another signifier: to which the subject who listens is thus reduced (Lacan, 2006: 708).

I'd like to focus here not on what this statement means for the subject, but on what it means for objects.

It is the subject, not the object, which, according to Lacan, depends on the signifier for its cause. It's the presence "in the real" of the subject – and not of the object – that depends on the signifier. The links between the object and the symbolic order is rendered here weaker than the link between the symbolic order and the subject. This positioning explains the object's potential for power over and against the subject. The

object does not depend on the symbolic order for its “real”ity to the extent that the subject does.^{xx} A subject can trip over an object without symbolically signifying this object as such. For the subject to thoroughly exclude the object, to put it out of the way, the subject must exceed its being “reduced” to a signifier; it must manifest itself also “in the real” – possibly by exercising violence.

“The object”, Baudrillard explains, “knows no alterity and is inalienable. It is not divided with itself – which is the destiny of the subject – and it knows nothing of the mirror phase, where it would come to be caught by its own imaginary” (Baudrillard, 1999: 114). Those who occupy object positions,

their (transpolitical) power is in being there as pure object – that is to say in opposing their silence and their absence of desire against any political wish to make them speak. Everyone tries to seduce, solicit, invest them. Atonal, amorphous, abysmal, they exercise a passive and opaque sovereignty; they say nothing but subtly [...] they neutralize the whole political scene and discourse (Baudrillard, 1999: 104).

Those who are silent or stand as objects at the “limit of discourse” may indeed have been forcibly silenced, but this does not eradicate their potential for exercising power. Those okhchas who star in media coverage of pride parades – their force is in their silence. The internal debate of the gay and lesbian community scolds them for not carrying a message, making a statement, asserting a demand; they are scolded for confining their expression to offensive exposure of their bodies, to making stereotypical shows of themselves; they are scolded for their “transpolitical” being.

But that's precisely the source of ;'s strength. They're there, and it's hard to look away.

The okhchas do not claim the right to take a place in discourse as subjects – such right would integrate them into a discursive situation where they would be forced to delegate their power to those who presume to represent them and where they would be subjected to forms of speech that fail to channel power in their favor. They are there as objects, without having to acknowledge the mirror image projected upon them by those who observe them and inscribe them in discourse. Their power is manifest in the rejection of *rights discourse* for the benefit of objective presence. By renouncing the *right* to respond to the discourse which “forms” the “constraining trajectory of [their] will”, they foreclose the *debate* concerning their *right* to exist. They are not there by *right*. They are simply there.^{xxi} This is precisely the force that the okhcha can retain only as long as he/she does not interpellatively respond in terms of the identity that discourse assigns her. That's why the okhcha cannot speak its name.

The subject can indeed apply violence towards the object, towards the reified, un-signified “limit of discourse”. The subject can exclude the silent object by killing or banishing it. But recall that civilized order depends on deferring and symbolizing violence (which is why Bataille articulated it as “as though” opposed to silent actual violence); recall that the application of so-called “law preserving” violence is expensive, and risks shattering the illusory complementarity between civilization and violence required for order to subsist. The illegal alien, the colonized, the okhcha – they are all exposed to violence; they do not engage in conversation, they are not

“reduced” to “signifiers”, and so symbolic exchange alone cannot remove them. The only way to exclude ; is violence. And those subjects who face ; must choose: are we willing to invest the violent effort that is the only way to exclude ; (endangering the stability of the discourse that we are trying to protect), or shall we let ; go on fixing our gaze, possibly undermining the authority of our discourse?

;'s presence does not replace the negotiation of gays for integration into dominant discourse, and does not counter it. The same individual who finds herself performing an object position during a pride parade may be a subject participating in the juridico-liberal rights discourse on weekdays.^{xxii} But this presence reminds the rights-demanding-gay and his partners that their negotiation for rights is not all there is.

Granted, chances are slim that agents trusted with maintaining order will be forced to allow objects to subsist, should such subsistence put discursive domination at risk. Performing an object position to apply force is a marginal stance that may be a last resort for those who have little to lose. It erupts as a small gate, which usually disappears as it comes. It is not even a micro-political technique. Given its highly volatile manifestation below the domain of well articulated subjectivity, performing an object position might better be termed a nano-political technique. And yet, sometimes it can make a world of difference.

Case Study V – Those who can't even remain silent

We have already encountered a particularly brutal attempt to undo silence in the testimony of A., Fanon's patient quoted above. But I would like to bring up a more subtle psychoanalytic example. In her seminar, Françoise Dolto is confronted with a

therapist presenting the case of a nine year old boy who has difficulties speaking and barely communicates. The therapist asks Dolto: “Should one [...] extract his words, as if to exorcise this silence in him, or rather should one accept his muteness?” (Dolto, 1985: 82).

During the exchange the therapist presents some basic information: the parents are anxious, but not too much, ; is willing to describe drawings he produces, he does not soil himself and does dress by himself, he does not communicate with his eyes, he sometimes suffers from excessive grimaces when trying to speak. For Dolto this information is enough to suggest that: “*A priori*, one may think that he his not his father’s son [...] There is certainly a secret in the family. In order to save face, he must be silent” (Dolto, 1985: 86). In other words, the psychoanalyst sees the patient’s silence as covering over a certain origins mystery. Elsewhere Dolto asks: “What does this child repeat – because psychoanalysis is knowing, what does the subject repeat? Perhaps he repeats [...] the fact of never having been anything but the object of projections” (Dolto, 1985: 83-84). Here Dolto supposes that ;’s silence must express or recreate something. Further along she raises the need to “know whether [;] had not been inhibited; inhibited from crying, for example, when he was younger” (Dolto, 1985: 88). Here the assumption is that silence has a genealogy. Dolto explains that what ; “has to say is still enclosed in his soma” (Dolto, 1985: 91), which hypothesizes that there actually is something that can be articulated in the psychoanalyst’s discourse and that ; would like to say.

Among the many questions that Dolto raises (what does the silence cover over? what does it repeat? what does it express? what caused it? what stops speech from

surfacing?), the following questions fail to arise: what does ;'s silence achieve? What force does it bear on ;'s surroundings? How does it rearrange ;'s discursive environment? In order to deal with the therapist's distress, Dolto tries to understand and explain silence, to force it into the realm of consciousness and speech, but not necessarily (at least not at first) to help ; deploy his force and generate his effects. In this manner the psychoanalyst forecloses silence's potential for power and its function as a powerful "will" at the "limit of discourse".^{xxiii}

Third model continued – Baudrillard's forceful objects

The silent presence of the Palestinian shepherd we described above was not accepted as such. After soldiers drove the shepherds out of the patch of land that was supposedly too close to the Jewish settlement, one of the officers asked me whether the presence of shepherds there was due to material needs (water and food for the sheep), or whether it was a principled statement of their right to the land. The dominant discourse resisted the way in which silent presence tried to reform it. In order to protect itself from the undermining effect of the "limit of discourse", dominant discourse not only banished it, but went further to form an enigma: an assumption (which cannot be refuted) that there was a *cause* behind ;'s silence – an a-priori hypothesis of a cause that can be articulated in the army's discourse, a cause that discourse "form[s] in language [...] constraining [the] trajectory of [;']s will".

Violence is not the only means available for enunciative subjects to respond to unsettling silent objects. Instead of excluding ; through killing or banishment – a burst of violence that endangers discourse *as* deferred and symbolized violence – dominant discourse can exclude silence by covering over it with the words of another: a

representative. In the examples we saw (Fanon's patient, the Palestinian shepherd, the mute child) discourse insisted on extracting from ;'s silence a message in accord with the assumptions articulating the discourse. Agents of the dominant discourse attempt to impose on ; a subjective array by having a representative speak for ;. Not only is the subaltern unable to speak; in some situations he can't even remain silent.

Baudrillard explains that the object, that is, someone who occupies/performs an object position in a given discursive situation, implements a

strategy whose secret is: the object does not believe in its own desire; the object does not live off the illusion of its own desire; the object has no desire. It does not believe that anything belongs to it as property, and it entertains no fantasies of reappropriation and autonomy. This would be no longer a matter of revolution but of [...] *de-volition* and withdrawal of the will. Not by way of alienation and voluntary servitude [...] but by another sovereign philosophy of the involuntary, of the "un-will," by a kind of anti-metaphysics whose secret is that [;] know with certainty that they don't need to pass judgment on themselves or on the world, that they don't have to will, know, or desire. [...] A strategy of disillusion with their "own" desire, disillusion with their own will, a strategy of ironical investment, of expulsion toward others of philosophical, moral and political injunction (Baudrillard, 1999: 113, 97).

These words are hard to stomach. Their transgression against humanism is significantly more acute than the most anti-humanistic moments of structuralism. Do such "de-volition" and denial of imaginary and symbolic identification not sentence objects to disintegration and death? Do they not permanently foreclose ;'s access to

subjective resistance? Do such objects even deserve to be considered resistant and political?

To counter these questions we must recall that object strategies are political performances, rather than suicide (or suicide as political performance). Indeed, we saw above that the same performance can be read as objective silence or subjective enunciation; we saw that object and subject identities are not mutually exclusive; we saw that the very same body can perform both object and subject positions. Recall further that none of this requires hypothesizing a freely choosing agent behind object or subject performances. What's required is an understanding that performances are imperfect, interpretable, iterable, and never exhaustively articulated acts (see footnote 3) – an understanding that a body's positioning as object does not necessarily exhaust its possibilities (indeed, where a body's possibilities are so exhausted, perhaps there truly is no longer any politics).

This is why object strategies are “ironic” – objects are singular elements that participate in many more virtualities than they actually let on.^{xxiv} This is why performed silences can be nuclei around which selves and communities form.^{xxv} And this is precisely why discourse finds it so important to deny those who perform object positions the power emanating from their silence. To remove resistant silent objects, discourse must force them to speak – if not by violence, then through representation.

Epilogue – On the ethics of representation

In being placed as an ad-hoc representative mediating between the army and Palestinian silent objects, I found myself representing a position that I did not

thoroughly understand, and that I could not understand due to a language barrier. The military officer wanted me to supply a reason for the Palestinian shepherds' insistence on bringing their sheep near the settlement. Did I represent a claim for immediate material needs (food and water for sheep)? Did I represent a principled claim of ownership over a patch of land? Or did I actually represent the malicious intent of the shepherds to collect "information for war purposes", as the acronym used by the officer suggested? Did I represent the will of the local Palestinians or the interests of the International Solidarity Movement and Ta'ayush, the organizations that arranged for activist presence in the area? I, who did not know enough Arabic to even pose these questions, replied to the officer that I didn't know.

There is an ethical concern here. If the subaltern cannot speak, and cannot even remain silent (as dominant discourse rearticulates ;'s forceful silence in terms of a subjectable discursive position), then the intervention of a representative, as Spivak maintains, becomes an ethical necessity. But how can the representative avoid being appropriated by dominant agents as a tool of subjugating rearticulation and foreclosure of ;'s silence?

An answer to this question requires various silences. Some of these silences have been articulated by Derrida (following Kierkegaard) as entangled with the inevitable contingency of an ethical decision to act in *this* singular way. Something (but by no means everything) is bound to remain inaccessible to the subject, unknown and unexplained when taking an ethical stance.

I am responsible to any one (that is to say to any other) only by failing in my responsibility to all the others, to the ethical or political generality. And I can

never justify this sacrifice, I must always hold my peace about it. Whether I want to or not, I can never justify the fact that I prefer or sacrifice any one (any other) to the other. I will always be secretive, held to secrecy in respect of this, for I have nothing to say about it (Derrida, 1995: 70-71).

But alongside those irreducible silences, which stem from ignorance, contingency and unreason, there's another silence, far more mundane. Out of loyalty to the represented silence, out of loyalty to ;, the person ethically bound to represent must include among her various means of representation – but without ever committing to such means in advance – the possibility of not erasing ;'s silence with an explanation – an explanation that risks repeating and validating that which “forms in language the constraining trajectory of [;’s] will”. The representative should consider, depending on circumstances and discursive partners, whether it is not better to join ;'s silence. The representative should consider, concretely and pragmatically, whether she might not conduct more power by replicating the subaltern's forceful silence into the sphere of representation. The representative should consider whether she might not do better standing by ; while and in refusing to speak.

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ⁱ This choice is my token of respect for these silences, and a rhetorical demonstration of their powerful disturbing potential. One may find fault with my erasing of silent persons' proper names in this text, but this erasure is an objective datum. All names of silent persons here, with one exception, were erased by the silent persons (who refused to identify) or by those who documented their cases (who used aliases). Even in the one case where I do know ;'s name, that name was withheld from the other participants in the scene. The sign ; was chosen partly because of its similarity to the first letter of the name of the one silent person whose name I had the privilege to know.

ⁱⁱ It was suggested that this kind of silence may be a reaction to the adverse repercussions of being politically outspoken in ;'s country of origin. My experience suggests that this is not the case, at least for the migrant and refugee communities I'm acquainted with in Israel. It seems that those who come from a tradition of outspoken resistance recreate frameworks for political expression in exile as well (see e.g. the final pages of Wagner 2010)

ⁱⁱⁱ The term *performative* should retain Derrida's (1988) critique of Austin's *speech acts* and the subsequent theorizing of performativity by Butler and Bhabha. For Butler (1990), performance is the necessarily imperfect repetition of a norm that establishes an identity. As imperfect repetition, it carries the possibility of undermining the articulation of the performed identity. Bhabha (1994) contrasts *pedagogy*, "the process of identity constituted by historical sedimentation", and *performativity*, "the loss of identity in the signifying process of cultural identification" (p. 304). Given its role in forming and undoing identities, performativity implies a volatile, open ended interpretation that cannot be contained by the will of a coherently identified subject. This volatility is the motor behind the phenomena studied in this text.

^{iv} A standard reference here is Jaworski (1993). While Jaworski analyzes silence mostly as communicating some meaning, he also shows that silence can refuse a subordinating discourse, can serve as a retractable discursive weapon, and may pressure discursive partners to change the terms of a proposal or demand. Patterson (2000) goes on to study the causes and effects of silence in a public policy context. Summarizing a range of silencing/silence phenomena, she writes: "Silence is all one has, or all one is allowed; silence is fear and talk is trouble; silence is shame and talk undeserved; silence is resistance and talk is cheap; silence is golden and talk irrelevant; silence is privacy and talk is someone else's cover; silence is listening and allows talk to be heard" (p. 681). Basso (1970) reads

Western Apache silence as a way of dealing with “uncertainty and unpredictability in social relations” (p. 227), but Clair (1998) and Grijalva (1997) provide more nuanced accounts. Laurence (1994) reads silence as a nucleus around which subversive knowledge and truth can be formed. For the phenomenological aspects of silence performances see Acheson (2008). Note that while silence can be used as a powerful weapon by persons dominating a situation (e.g. Sattel 1983), here we are interested in subaltern silence.

^v A good analysis of the relativity or contextuality of what counts as silence is available in Gal’s work (1989, 1995).

^{vi} Spivak’s argument was followed by heated debates. Parry (1987), for instance, sees Spivak’s formulation of the subaltern position as a form of silencing; but see also Sharpe’s (1989) rebuttal. Spivak’s position poses a specific challenge for the feminist effort to excavate a voice from under women’s silencing (e.g. Gilligan 1982, Taylor et al. 1995). Indeed, later feminist work is more critical of this effort. Claire (1998), for instance, moves from the classical silencing narrative to one that reads silence as a “self contained opposite of resistance and oppression” (p. 147). Similarly, for Glenn (2004) “the delivery of silence can be a way of taking responsibility all the while refusing to be compliant”, but it can also “be a way of refusing to take responsibility all the while appearing to be compliant (p. 155). Mahoney (1996) even rereads Gilligan’s own work to find evidence that silence does not simply muffle authentic voices, but can serve as a strategy to create space and opportunity for growth. In this context Kaplan’s (1996) compelling illustration of the aporetic position from which Harriet Jacobs writes her *Incidents in the life of a slave girl* is an important reference.

^{vii} Those unfamiliar with the quilt metaphor (popularized in such literary works as Alice Walker’s *Everyday Use* and Toni Morrison’s *Beloved*, and subsequently appropriated as a feminist metaphor for knowledge formation), are referred to Flannery (2001).

^{viii} “As a general rule the torturer does not use the language of the violence exerted by him in the name of established authority; he uses the language of the authority, and that gives him an excuse, a lofty justification” (Bataille, 1986: 187-188).

^{ix} In this context of the relation between order and violence, recall Foucault’s inversion of Clausewitz’ maxim: “politics is the continuation of war by other means” (2003: 16). In fact, the civilized order of written law is maintained by occasional actual expressions of violence – the so called

“law preserving” violence problematized by Benjamin (1996). For an analysis of political order in relation to deferred and actualized violence in the context of the Israeli occupation see Ophir and Azoulay (2009).

^x On the silence and violence inherent in civilized communication see Bataille (1988: 92, 1985: 137-144).

^{xi} There are quite a few case studies in the literature that exemplify such an “unconscious and irrational will to discourse”. We already mentioned Laurence (1994), who reads Victorian women authors’ framing of silence as a will to form new knowledge and truths. Zeligs (1961:20-21) reads an analysand’s silence as a will to elicit the empathy of the therapist for her conflict. Hegde (1996) states that “In the experiences of the battered Indian women, resistance must be read in the silences – in the quiet determination to contest male domination” (p. 313). Dalton and Fatzinger (2003) see in the silence of the heroine of Jane Campion’s *The Piano* a will to control and establish autonomous communication. Braxton and Zuber (1994) reach similar conclusions in their reading of Harriet Jacobs’ *Incidents in the life of a slave girl*.

^{xii} Ta’ayush is an Israeli-Palestinian organization active in the area, and Ezra is one of the leading local Israeli activists. “Ana ihrab betak” is Arabic for ‘I’ll tear down your house’.

^{xiii} A beautiful analysis of how a silent subaltern can change the discursive positions of the subjects around him is available in Sharpe’s (1989) analysis of a scene from E.M. Forster’s *A Passage to India*. There, a silent lower class fan operator in a courtroom, an object upon which three gazes are superposed (the erotic gaze of an English woman pressing rape charges, the erotic gaze of the homosexual author, and the nationalist gaze of a middle class Indian), undoes the court scene and the expected sentence.

^{xiv} The literature contains quite a few analyses of individuals retreating from discourse to a marginal silent position in order to make a difference. A rich account of legal and pedagogical case studies is available in Montoya (2000), in Roberts’ (2000) reaction to this paper, and in Lewis (1993, especially pp. 34-40). Dalton and Fatzinger’s (2003) analysis of the heroine’s silence in Jane Campion’s *The Piano* is also pertinent here.

^{xv} For a critique, inspired by Foucault, of emancipation through speech and subjectivation, see Brown (1998).

^{xvi} One possible direction would be to follow Foucault to his later work, where he states that “silence itself – the things one declines to say, or is forbidden to name [...] – is less the absolute limit of discourse, the other side from which it is separated by a strict boundary, than an element that functions alongside the things said [...] There is no binary division to be made between what one says and what one does not say; we must try to determine the different ways of not saying things, how those who can and those who cannot speak of them are distributed [...] There is not one but many silences” (Foucault 1978: 27). Another direction is Deleuze’s (1988) deep reconstruction of Foucault’s system with its inside/outside problematization through the concept of the fold. But these lines of inquiry focus on subjectivation, and here I’m interested in forms of resistance that take place below the articulation of subjects.

^{xvii} Kama (2005) is a related English publication, but it does not refer explicitly to the quoted case study.

^{xviii} The academic interview is not the only discursive formation where the okhcha can't speak. An article published in a leading Israeli online news portal claimed that “every okhcha and every kokitsa who uses feminine language in speaking to her sisters is a further step in the struggle, in expanding the boundaries of society and its attitude toward us” (Hebrew, <http://www.ynet.co.il/articles/0,7340,L-2935389,00.html>). But this positive advocator of okhchas did not use feminine language even once in his article. Even where discourse articulates the position of okhchas as positive, the enunciative position is that of a gay man. Speech from the position of an okhcha in that context is barred.

^{xix} This, of course, is subject to historic change. Another Google search shows that of the first thirty identifications under the term kokitsa (a variant of okhcha) only one was in the first person, and even that was ‘kokitza light’. More importantly, one talkback writer applied the term kokitsa not as an adjective, but as a proper name. In order to assume the title kokitsa, he/she had to pronounce it as a proper name. This transition is not foreign to the history of homosexuality. Oscar Wilde’s lover, Lord Alfred Douglas, coined the phrase “the love that dare not speak its name” – which Wilde, in his trial, ironically denied was a reference to homosexuality. This love could indeed not speak its name, under pains of harsh social and criminal sanctions. For this love to speak its name meant to “lose his head” (or at least his freedom). About half a century later, E.M. Forster placed the following statement in the

mouth of the homosexual hero of his novel *Maurice*: “I am an unspeakable of the Oscar Wilde sort”. This identity can not yet express its group title, but can already bear a proper name.

Self-identifications such as kokitsa or okhcha are contingent and changeable, and so are their means of resistance. The expressions ‘I am an okhcha’ and ‘I am a kokitsa’ do not cross the threshold of online replication at the time of writing this paper, but the fact that “a written sign carries with it a force that breaks with its context, that is, with the collectivity of presences organizing the moment of its inscription” (Derrida, 1988: 9), allows for semiotic maneuvers through which self-identifications as okhcha and kokitsa may proliferate, where at one time they were rare. Together with this proliferation the range of possibilities accessible to the kokitsa may change as well, carrying with it its entire structure as an identity.

^{xx} Of course, the subject/object division is determined by the symbolic order, and therefore objects signified in language are split and depend on the signifier just as much as Subjects. But Lacan also speaks of an “ultimate real, of the essential object that isn’t an object any longer, but this something faced with which all words cease and all categories fail” (Lacan, 1988: 164), which, essentialism apart, is closer to the limiting aspect of objectivity that interests me here. Moreover, my articulation of objects is meant not so much to do justice to Lacan, as it’s meant to motivate the transition from the reasoning used above to Baudrillard’s reasoning below, which despite Baudrillard’s changing attitude toward psychoanalysis and structuralism clearly reacts to Lacan’s teachings.

^{xxi} Some other relevant examples from Israel/Palestine political activism appear in Wagner (forthcoming). An interesting variant of silent objectivity as resistance can be found in Katz’ (1999) analysis of John Cage’s artistic and personal silences in relation to expressionism and homophobia, where “silence constitutes an oppositional mode that refuses articulated oppositionality, it offered precisely the cover required to seed destabilization in the policed consensus of the fifties, especially for closeted homosexuals” (p. 244).

^{xxii} But recall that given our articulation of performativity (note 3 above), performing an object or subject position is not always a choice, and definitely not the choice of a free agent.

^{xxiii} Psychoanalysis was indeed one of the first disciplines to understand the relation between silence and resistance. Arlow (1961), for example, articulated the role of silence in inducing countertransference. But the attitude to such use of power is generally negative, and is typically

regarded as an obstacle to therapy or as a cover for something left unsaid (see Sabaddini (1991) for an overview of interpretations of silence in psychoanalysis). Julia Kristeva, for instance, spoke on January 2006 in Tel Aviv about the need to *understand* those who participated in the violent demonstrations in the suburbs of Paris the year before. Attempts to *understand* indeed proliferated in the French press (usually ranging from ethnico-cultural to Marxist interpretations), but I am concerned that this demand to understand is precisely how analysis forecloses and denies the effects of the power that the suburb demonstrations manifested (in fact, as one reviewer observed, even Baudrillard, whose quotation above demonstrated a form of interpretation that side-steps speaking for the subject, will revert in his subsequent quotation to a more analytic style of interpretation, demonstrating how fine the line between the different forms of representation is) . MacLure et al. (2010) provide a rare example where a child's silence is analyzed without trying to replace it with a reasoned interpretation, building on, among others, Derrida's (1998) reflections on silence in psychoanalysis.

^{xxiv} For the metaphysical infrastructure for this claim see Deleuze's (1997) essay on Melville's *Bartleby the Scrivener*.

^{xxv} We've already mentioned Braxton and Zuber (1994) and Hegde (1996), which provide examples of how selves can be formed around silence. For a theoretical account of community formation around silence see Ferguson (2003). For case studies see Saldaña-Portillo's (2002) account of a Zapatista ceremony and Gilmore's (1985) analysis of a student's silent resistance to a teacher as establishing her position with respect to her peers.