

## Chapter 8

# Tiny Sparks of Contingency. On the Aesthetics of Human Rights

Giovanna Borradori

The more people know about one another,  
The less they want to recognize other peoples as their equals,  
The more they recoil from the ideal of humanity (Arendt 1952,  
235).

The concept of human rights acquires a full political and juridical formulation in the two master-documents of the Enlightenment: the American revolutionists' Declaration of the "inalienable" right to life, liberty and the pursuit of happiness, and the French Proclamation of the "natural" rights of man and the citizen, including liberty, property, security, and resistance to oppression. But the history of human rights, especially from the perspective of the movements that rose to defend them, was profoundly marked by something that neither of these two documents could have foreseen: the invention of the photographic image known as the heliograph, in 1816, later perfected to be commercialized as daguerreotype, in 1836.

The question of how to represent human rights *vis a vis* both the truth of their essence and the formation of a humanitarian consciousness ready to stand by their implementation has intersected the history of photography from very early on. For example, circulating "atrocities photographs"<sup>1</sup> has been a key strategy of one of the earliest humanitarian campaigns launched at the end of the nineteenth century to stop King Leopold of Belgium from continuing to perpetrate crimes in his personal colony, the Congo. Visual documentation of Leopold's massive acts of cruelty was disseminated in the public sphere through photographs published on newspapers and slides projected in magic-lantern shows at lectures and protest meetings in the United States and throughout Europe. What was perhaps the first emergence of a global humanitarian consciousness is thus largely due to the circulation of such atrocity photographs, which exposed how, between 1880 and 1920, an estimated ten

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<sup>1</sup> See, Adam Hochschild (1999), and Sharon Sliwinski (2006).

G. Borradori (✉)  
Department of Philosophy, Vassar College, Poughkeepsie, NY, USA  
e-mail: giborradori@vassar.edu

million Congolese died of starvation, disease, and various forms of torture, including rape, amputation, and whipping.

As the twentieth century forced the world to reckon with the unfathomable violence of the Holocaust and the Stalinist gulags, and subsequently with other genocidal pursuits such as the Pol Pot's regime in Cambodia, the Hutu's extermination of the Tutsi in Rwanda, and the ethnic cleansing of the Bosnian Muslim population at the hands of Serb militia in Bosnia, a robust discussion ensued surrounding the ethical import of photographs and other visual documentation of such atrocities. In rarefied academic circles the position that photography is structurally unable to either tell the truth about what it represents or provide enough context to spur the viewer's critical engagement with its subject matter has run side by side with debates in photojournalism about how photographers ought to capture suffering, or whether they should capture it at all. Since photographs are ineluctably constructed, if only by the sensibility of who takes them, the ethical quandary in both the academic and photojournalistic fields has centered on whether it is possible to expose the pain of others without feeding on the public's thirst for sensationalist consumption. Or even more darkly, whether it is possible not to aestheticize unimaginable pain, thus translating the private torment of a helpless victim of abuse into a photographer's act of self-expression.

In this paper, my take is that atrocity photographs and other images of suffering, whether still or moving, projected on TV or disseminated in the blogosphere, provide us with a powerful lens to read the formation and development of humanitarian consciousness. More specifically, I wish to claim that exposure to visual documentation of extreme suffering and abuse has forged, and is still forging, our moral sensibility concerning human rights by way of a negative dialectics. As critic Susie Linfield claims, reversing Walter Benjamin's dictum that "there is no document of civilization which is not at the same time a document of barbarism": "Every image of barbarism – of immiseration, humiliation, terror, extermination – embraces its opposite, though sometimes unknowingly. Every image of suffering says not only, 'This is so,' but also, by implication, 'This must not be'; not only, 'This goes on,' but also, by implication: 'This must stop.' Documents of suffering are documents of protest: they show us what happens when we unmake the world" (Linfield 2010, 33).

I wish to elaborate on the negative dialectic I see governing the images of suffering that, in my reading, have performatively constituted the modern humanitarian consciousness with its corresponding sense of universal responsibility toward human rights. Along broadly Adornian lines, I will argue that these images of suffering are by definition the expression of a devastatingly oppressive social reality. Since for dialectics the only adequate representation of a social antagonism is a contradiction, I will read these pictures as contradictions that, by negation, reveal the system of domination and dehumanization in which they exist. In the aftermath of WWII, Hannah Arendt's called for a guarantee of human rights and found it in a principle of humanity minimally understood as the event of natality. In bringing home the irrefutability of bodily harm in the context of public discourse, these images work dialectically at undoing the dominant paradigm of dehumanization and performatively at the formation of a humanitarian consciousness in Arendt's sense. Politically,

however, it is by visual iterative acts that global civil society emerges as the subject and the author of the norm of humanity. In this perspective, I will show the link between my analysis and Seyla Benhabib's theory of democratic iterations.

Images of suffering, I will further explain, tap into our deepest level of moral motivations by revealing the human body as "the original site of reality"<sup>2</sup> and presenting us to ourselves as vulnerable bodily subjects. On the basis of a distinction between the "ethics of showing" and the "ethics of seeing," I will suggest that the problem with images of suffering is not so much that they are irreducibly constructed, or that they run the risk of aestheticizing pain rather than critically engage the viewer; the problem with images of suffering is that they may be engineered to induce a numbing of affect that allows viewing the other as not fully real, or human, because it is either demonized or victimized to the extreme. Following Judith Butler's idea that others appear to us as truly living only if their lives are framed as vulnerable, or at the risk of being lost and thus grieved, I will explore the possibility of a "thin" normative standpoint regulating the ethics of showing as well as the ethics of seeing images of suffering. Within the legitimate boundaries of showing and seeing cruelty the other will thus emerge not only as an autonomous and self-sovereign individual, but also as a deeply contingent subject, who precisely in her vulnerability to suffering, exposure to the ravages of time, and the always impending possibility of loss, finds her uniqueness, and thus lays her claim to the future. In this respect, I agree with Benjamin who, in spite of his own preoccupation that the visual deluge would be the mark of an aestheticized and fundamentally passive society, held that photographs hold a magical power: for "the beholder feels an irresistible urge to search such a picture for the tiny spark of contingency, of the here and now, with which reality has (so to speak) seared the subject, to find the inconspicuous spot where in the immediacy of that long forgotten moment the future nests so eloquently that we, looking back, may rediscover it."

## 8.1 The Unloading Ramp at Auschwitz

While both the American Declaration of the "inalienable" rights and the French Proclamation of the "natural" rights were drafted on the basis of a theoretical project, the 1948 Universal Declaration of Human Rights was approved by the United Nations in the aftermath of the greatest devastation the world had ever witnessed. The Convention on the Prevention and Punishment of the Crime of Genocide, adopted by the United Nations in 1948, zeroed in on the specific crime of genocide against the European Jews, which concluded a long debate that intersected the discussion of crimes against humanity, which had began circulating at the close of World War I with reference to the massacre of the Armenian population at the hands of the Ottomans. As international jurists, diplomats, and representatives of the newly

<sup>2</sup>Scurry (1988).

founded institutions struggled to formalize political institutions able to prevent, or at least prosecute, perpetration of such crimes, civil society's humanitarian consciousness went through what is perhaps its most defining moment as images of horror and suffering in the concentration camps began to steadily flood the Western media.

In commenting on the issue of collective guilt and responsibility in the context of the so called "Historians Debate", centering around the attempt to provide revisionary accounts of the Holocaust, Jürgen Habermas remarked that, no matter how subjective one's perspective or how distant personal memory of the facts may be, the moral point of departure is still the same: "the images of the unloading ramp at Auschwitz" (Habermas 1989, 229). In perhaps the most iconic photograph of the unloading ramp, Birkenau's (Auschwitz II) so-called "gate of death" looms in the background, a Christian cross stands tall on its pediment, its arched entrance stares at the viewer as an empty mouth into which converge three intersecting railroads. The sky is white and so is the ground covered with snow. No prisoners or trains can be seen, but the ominous emptiness of the desolate landscape speaks loudly of one of the key moments of the Holocaust, which repeated itself over and over again for many murderous years: the selection of the prisoners on the three railroad unloading ramps. It was on these very ramps that SS doctors determined who was qualified for labor and who had to be killed immediately, which amounted to an average 75% of the prisoners.

Habermas refers to the image of the unloading ramp at Auschwitz to ground his notion of responsibility for the memory of that horror, a memory that transcends the boundaries of the self-sovereign subject and even the facts of her actual experience. Habermas's choice of an image based on photographs and other visual documentation to substantiate his claim about collective and historical responsibility, or even universal responsibility, is from my perspective not a coincidence. Atrocity photographs and images of suffering function in defiance of the standard mode of understanding that Theodor W. Adorno called "identity thinking" and described as subsuming of a particular object under a universal concept. Identity thinking, for him, objectifies propositional content because it uses predication as the master key for identification. In other words, it pretends to unlock the particularity of an entity by the enumeration of its predicates. If we look at the statement, "the loading ramp at Auschwitz is the three intersecting railroads converging into the gate of death," the apparently analytical statement would count as an example of identity thinking because it objectifies the meaning of the loading ramp at Auschwitz by reducing it to the three intersecting railroads. By contrast, the deserted image of the three intersecting railroads converging into the gate of death, which Habermas recalls referring to photographs of the unloading ramp at Auschwitz, exceeds identity thinking by both succeeding and failing in the representation of its content.

In spite of his robust attempts to distance himself from Adorno, Habermas's reference to the unloading ramp at Auschwitz seems to cause him to slip back into his mentor's footsteps. When he wrote that the moral point of departure is the loading ramp at Auschwitz, Habermas did not certainly mean to translate that image into an identity statement about the three railroad tracks. I suggest that the peculiarity of images of suffering, such as the one Habermas invokes, is precisely to resist identity

thinking. Instead of letting their meaning be subsumed under a conceptual heading, images of suffering dialectically engage the irreducibly contingent and the uniquely singular in ways that are ontologically and politically significant. The contingent and the singular is what Adorno called the "non-identical – the ineffable, non conceptual particular" (Adorno 1973, 5ff., 11ff., 148ff).

Following Adorno's lead, I wish to claim that, similarly to representational works of art, images of suffering problematize their own propositional statements. This is so because images of suffering are by definition expressions of a devastatingly oppressive social reality – one that we can imagine as the radicalization of an "antagonistic totality" (Adorno 1973, 10). The more antagonistic the totality, the higher the ideological charge of its language, the greater the need for dialectics, assumed as the thesis that objects are never exhausted by any concepts applied to them, since we can understand them only by examining them in relation with the whole of society (Adorno 1973, 5, 152). This conception of dialectics stems from the premise that the only adequate representation of a social antagonism is a contradiction. As dialectics is a kind of critical thinking that derives truth from insisting on the contradictions of a given social context, by focusing on the presentation of the object in all its irreducible uniqueness, negative dialectics reveals the total system that maintains itself invisible in order to keep social antagonism itself invisible. In the case of images of suffering, I suggest that the total system revealed by negative dialectics is a system of dehumanization that becomes visible only starting from the irreducibly contingent expressed by the images of suffering.

## 8.2 Neda and the New Law on Earth

In *The Origins of Totalitarianism*, which appeared a few months after Convention on the Prevention and Punishment of the Crime of Genocide became operational in 1951, Hannah Arendt wrote that "Anti-Semitism (and not merely the hatred of Jews), imperialism (not merely conquest), totalitarianism (not merely dictatorship) – one after the other, one more brutally than the other, have demonstrated that human dignity needs a new guarantee, which can be found only in a new political principle, in a "new law on earth" (Arendt 1952, IX): this is a cosmopolitan principle of humanity, able to anchor and defend human dignity. While for preceding generations humanity was a concept and/or an ideal, after the Holocaust humanity "has become an urgent reality" (Arendt 1968, 82). Arendt's key point here is two-pronged: on the one hand, morally, only a principle of humanity can act as the normative source for an imperative of common responsibility; on the other hand, politically, "the right to have rights, the right of every individual to belong to humanity, should be guaranteed by humanity itself" (Arendt 1952, 298).

The challenge of finding what Arendt called "a new law on earth" consists in the fact that such a law cannot be founded on an abstract rational parameter, and thus in the recognition of the same in the other, which, according to Arendt, represents the philosophically invalid and politically disabling presupposition of the Enlightenment

conception of human rights, endorsed by both the American Declaration and the French Proclamation. Arendt retrieves the new law, or new principle of humanity, in the emotionally charged “elemental shame” that she associates with the sheer fact of being human. Four decades earlier than Habermas’s reference to the unloading ramp at Auschwitz, Arendt grounded responsibility in the ongoing human capacity for unspeakably shameful acts of cruelty. “For many years, I have met Germans who declare that they are ashamed to be German. I am often tempted to answer that I am ashamed to be a human being. This elemental shame, which many people of the most various nationalities share with one another today, is what finally is left of our sense of international solidarity” (Arendt 1994, 131).

Arendt’s post-Holocaust sensibility provides us with a powerful lens to read the historical reality of a humanitarian consciousness that has developed, and is still developing, through exposure to visual documentation of extreme suffering and abuse. In particular, Arendt’s conceptual framework helps us understand the workings of the latest wave of images of suffering, which are not produced by professional photojournalist and war correspondent, or by photographers working for human rights organizations, but rather by the cell phones of victims of acts of violence. Their role emerged during the upheaval following the presidential elections in Iran, in June 2009, when the face of Neda Agha Soltan, a young woman killed by the police, became the symbol of the repression. The image of her agony on the pavement of a street in Teheran seems to me to tap exactly into Arendt’s new law on earth, by bringing home both the shame at the senseless loss of human life and the irrefutability of bodily harm and suffering. Soltan body in pain represents what Adorno called the non-identical, the ineffable, the inexpressible in the sense of the aspect of what cannot be subsumed or reduced to a concept or a category.

For Arendt, since international solidarity springs from the shame at what humans are able to do to each other, it is of paramount importance that evil not be attributed to any specific group, such as the Germans under the Nazi regime or the Serbians during the Bosnian War. To allow any given group to assume the “monopoly of guilt” (Arendt 1994, 131) means not only to disempower global civil society from taking responsibility and face the human capacity for unspeakable crimes, but also, in doing so, open the possibility that one group elect itself as superior to others and claim the right to exclude others by dehumanizing them. In the last section of this paper I will show how this mechanism was at work in the War on Terror launched by George W. Bush’s Administration in the aftermath of the attacks of September 11, 2001. The two images of suffering from the prison of Abu Ghraib that I will examine in that section testify to it.

Fending off the possibility that a monopoly of guilt is attributed to any one group is for Arendt the guarantee that a thick understanding of humanity provides to modern political thinking, which cannot but start from the universal acceptance of what people are capable of. This is indeed not an easy task, it has to be said, because it asks philosophy to come out of the comfort and safety of the academic space and engage the world. This is the task that made Adorno feel like the man he became in his dreams, namely, “the emanation of the insane wish of a man killed twenty years earlier” (Adorno 1973, 363).

Perhaps similarly to the late Kant of the Third Critique, Arendt sees humanity’s guarantee suspended between two opposite affects: she writes, “the speechless horror at what man may do and what the world may become is in many ways related to the speechless wonder of gratitude from which the question of philosophy springs” (Arendt 1994, 445), Arendt believes that speechless horror rather than a sensibility for beauty is what stimulates human wonder,<sup>3</sup> that deep and ineradicable wonder, ripe with metaphysical, ethic, and aesthetic connotations, that the ancient Greeks recognized as the matrix of philosophical thinking. As Peg Birmingham has brilliantly argued, however, we should not mistake Arendt’s appreciation of wonder for any form of enchantment with humanity. Yet, for all her pessimism, she refuses to abandon the idea altogether, because “only a principle of humanity is able to provide the source for an imperative of common responsibility. For all the horror at the heart of human relations, and despite her rejection of a metaphysical notion of human nature, Arendt remains a humanist” (Birmingham 2006, 8). The principle of humanity, which is the normative core of the new law on earth, is for Arendt the anarchic and always already embodied event of natality.

As Birmingham suggests, Arendt does not understand the human metaphysically, as an essence, but rather phenomenologically, as a “condition” of experience whose two emotional registers are “the speechless horror at what man may do and what the world may become,” and the ability to feel gratitude. The ability to feel gratitude is inherent in the event of natality, which builds on the significance of biological birth to express a notion of the human as a radically new beginning. This kind of beginning “is not the same as the beginning of the world,” Arendt writes in *The Human Condition*, which would carry theological and teleological implications. “It is not the beginning of something, but of somebody, who is a beginner himself” (Arendt 1998, 177). This is the event of freedom assumed as always already embodied and in action, indeed, as the very “faculty of action” (Arendt 1998, 146). The “who” that we build through action does not, for Arendt, possess any fixed traits because of its intrinsic contingency and unpredictability. I want to claim that Soltan’s photograph, agonizing on the pavement of a street in Teheran, in the drama and uniqueness of its absolute contingency resists assimilation to the dehumanizing ideology of the antagonistic totality from which it emerges. In so doing, it dialectically points to the emotional charges of the human condition: the speechless horror at what man can do and the “who” that we build through action.

<sup>3</sup>If Arendt stopped at locating what is distinctly human within the boundaries of cruelty she would be in the company of a large group of philosophers and intellectuals, which include among many others her mentor, Martin Heidegger. As Derrida demonstrated, in spite of his anti-humanism Heidegger has a positive conception of the human, based on the human’s irretrievable distance from the animal. As the animal is poor of world, poor of history, and essentially unable to own up to its own death, the human appears in possession of the symbolic keys to the making and the unmaking of her surroundings as well as of those with whom she shares them. While the animal is stranger to good and evil, the human holds the reigns of cruelty, of that inexpressible limit of bestiality that beasts themselves are protected from. In this sense, we can say that we live in an “age of cruelty,” in an age of the self-understanding of the human as the distinctive agent of acts of cruelty.

"Hunger looks like the man that hunger is killing," (Galeano 1997, 278) Uruguayan essayist Eduardo Galeano wrote of one of the early photographs by Sebastião Salgado, the eminent Brazilian photographer, portraying a victim of famine in the Sahel. The new principle of humanity looks like the woman humanity is killing. The last moments of Soltan's life were caught by the camera of a cell phone belonging to a political activist or to a passer-by, we don't know, certainly a witness who felt it important to immortalize an extreme act of political violence against an innocent victim. This is not a work of art like Salgado's, with a detectable formal intentionality. It is, to use Benjamin's language, a tiny but extremely powerful spark of contingency, which present us to ourselves both as the vulnerable bodily subjects that we are and as the resilient and active agents of our destiny, irremediably exposed to the whims of fate, as Arendt's notion of natality suggests.

In one of the pictures with the greatest political impact for the protests against the presidential elections, Soltan is lying on the street her arms folded up as if she was giving herself in to the hopeless help of two men, whose faces lie outside the picture's frame. While the arms of one man in a white short sleeves shirt are obviously engaged in cardio-pulmonary resuscitation, the second man's arms, recognizable by a blue striped shirt are puzzlingly placed: his right hand, all stained with blood and made heavy by a watch, rests on top of the other man's hands, busy with the resuscitation. We cannot tell whether this second man is exercising any pressure, and thus helping the other with the cardiac massage, or whether he is silently telling him to stop by gently holding his hands down. His left hand is also enigmatically placed, as it quietly rests on Soltan's own right arm whose fair complexion stunningly contrasts the gray of the pavement. Yet, for all the ambiguity surrounding the cardio-pulmonary resuscitation, what is really stunning is Soltan's piercing gaze that stares directly at the viewer: her eyes wide open, as in terrified disbelief, she seems to be asking why. The physical pain is almost superseded by a search for orientation and reference. Soltan's appeal is admittedly vague but not incomprehensible: perhaps it is an appeal to life, perhaps it is an appeal to some fundamental right of walking down a street of her city and be safe, whether she is taking a stroll or voicing her political dissent in the company of others. The inexpressibility of Soltan's appeal is voiced by the unintentional formal features of the image but is also contained in its ontological makeup, its existential truth, so to speak, which stems from its irreducible contingency, the embodiment that is essential to the event of natality. Invoking again Benjamin's language, the image of Soltan's agony has the magical power of a "here and now" with which reality has "scared" her subjectivity, a here and now in the sense of a fragment of humanity that resists, and thus reveals, the dominant pattern of dehumanization.

### 8.3 Visual Iterations

For Arendt, more fundamental than the rights of freedom and justice are the rights of action and opinion, as well as the right to belong to a political community in which one's speech and actions are communicatively pertinent. Arendt's formulation

of the "right to have rights" emerges from her reflection on the event of *initium*, or natality, which arises from the two overlapping dimensions of givenness, meaning embodiment and contingency, and publicness, namely, of acting in ways that are meaningfully recognized by others. In this sense, to be human is defined for Arendt not so much by having the right of agency and freedom but the more fundamental right of action and speech, which cause individual and collective sovereignty to be replaced by the right to belong to an organized political space, inhabited by a plurality of actors.

In this perspective, Arendt swerves considerably from the liberal tradition's paramount concern for freedom and justice, which in her mind does not capture the fact that in politics there is a more fundamental dimension at stake: belonging to a political community. While freedom and justice are the right of the citizen, whenever the space of dissent, and with it membership, is annihilated an individual's "treatment by others does not depend on what he does or does not do. This extremity and nothing else is the situation of people deprived of human rights" Arendt (1952, 296).

The historical reality of the post-Holocaust years in which Arendt was writing made her associate the situation of people deprived of human rights with the masses of denationalized minorities, refugees, stateless people for whom "the very phrase 'human rights' became for all concerned – victims prosecutors, and onlookers alike – the evidence of hopeless idealism or fumbling feeble-minded hypocrisy" (Arendt 1952, 269). A fact that, as Linfield acutely put it, "revealed the ugly secret at the heart of the human-rights doctrines: the only person who makes an appeal – who must make an appeal – to something as vague and weak as human rights is the person who has been stripped of everything and is, therefore, no longer recognizably human" (Linfield 2010, 37).

The 60 years that separate us from the publication of *The Origin of Totalitarianism* and the Convention on the Prevention and Punishment of the Crime of Genocide have not fundamentally altered the situation. Masses of people lack political membership: some live under brutally repressive regimes, some are refugees from war-zones and guerilla-infested areas, some are simply stateless, and some other belong to the tidal waves of migrants scouring the richer nations of the planet in search of the sheer means of physical survival. Defenseless against the violence of organized crime, as Arendt had already seen this segment of the human population's only hope for re-entry in to the juridically and politically organized human community is to break the law.

Yet, even in this depressingly dark scenario an image of suffering, holding all the tragic magic of Arendtian *initium*, acted as the spark that unleashed the unraveling of one of the most stunning movements of political protest in recent history: the so called "Arab spring," which was literally set on fire by the images of the self-immolation of 26 years old Mohamed Bouazizi, a Tunisian street vendor. The protest engulfed Tunisia and quickly spread to Egypt, causing the transition from authoritarian regimes to democratic rule in both countries. I want to read this image of self-immolation as a spark of resistance to the pervasive pattern of dehumanization. The visual iterations of a man on fire, by circulation on the Internet and branding in public demonstrations, have performatively worked out the appeal made by the Arab street to its own leaders. The image of Bouazizi's self-immolation has thus

played a constitutive role in the formation of a new humanitarian consciousness both in the Arab countries involved in the upheaval and in the global civil society that has responded to their plight. From this perspective, such consciousness is both the subject and the author of what Arendt called the new law on earth: the cosmopolitan principle of humanity.

The images of Bouazizi's self-immolation are from December 17, 2010, when he set himself on fire in protest against the confiscation of his wares and the harassment and humiliation by a municipal official. As is the case with the image of Soltan's agony, a cell phone of a stunned passer-by shot the specific picture of Bouazizi's body on fire that I am taking into consideration here. In it, we see the young man already collapsed on his knees but still holding himself up on his arms and hands. The flames cascade down from his neck as a long scarf is flowing lightly between his arms. More flames rise from the around between his arms and legs, probably from the pool of gasoline dripped on the pavement as he was drenching himself in it.

This arresting image says nothing of what happened after Bouazizi's body caught fire. According to Bouazizi's sister, people panicked and someone threw water on the flames apparently worsening his condition. Also, the image does not say that Bouazizi survived for 18 days in a coma, and that the now deposed Tunisian despot, Zine el Abidin Ben Ali, promised to have him transferred to a French facility specializing in severe burns, but ultimately did not. From my perspective, the most relevant fact about the image of this young man's self-immolation is that, in becoming the symbolic anchor of the protests that ultimately brought down Tunisia's autocratic regime, it has also become the site of a democratic process.

My analysis echoes Seyla Benhabib's notion of democratic iterations, assumed as those "complex processes of public argument, deliberation, and exchange through which universalist rights claims and principles are contested and contextualized, invoked and revoked, posited and positioned, throughout legal and political institutions, as well as in associations and civil society" (Benhabib's 2004, 179). Far from running the risk of aestheticizing and thus depoliticizing injustice, images of suffering are, in my reading, political practices, and thus are part of the "complex processes of public argument, deliberation, and exchange" that constitute democratic iteration according to Benhabib's definition. Images of suffering, which I see regulated by negative dialectics in the way that I showed earlier, negotiate the tension between the abstract and the concrete, the universal and the particular dimensions of the right claim that Arendt posits as the justification of all right claims, and thus as their normative condition: the principle of humanity. In order to specify the way in which the image of Bouazizi's self-immolation worked as a visual iteration of a democratic process it is useful to briefly examine Benhabib's own theory of the performative in politics, which starts from her appropriation of Derrida's assimilation of iteration to iterability.

For Derrida, "iterability is at once the condition and the limit of mastery [of our mastery of language]: it broaches and breaches it" (Arendt 1988, 107, 61, 100). According to Derrida, the iterability of a sign is, on the one hand, what makes speech acts possible, a fact that broaches mastery, but on the other hand, iterability

is what makes every speech act imperfect, incomplete, unsuccessful. In that sense, iterability breaches linguistic mastery.<sup>4</sup> Benhabib takes from Derrida the idea that "in the process of repeating a term or a concept, we never simply produce a replica of the first intended usage or its original meaning; rather, every repetition is a form of variation. Every iteration transforms meaning, adds to it, enriches it in ever so subtle ways" (Benhabib 2007, 21). In this sense, the application of norms cannot be understood as a simple translation from theory to practice, because iteration is never repetition, but entails transformation and interpretation. "Every act of iteration involves making sense of an authoritative original in a new and different context. The antecedent is thereby reposit and resignified via subsequent usages and references. Meaning is enhanced and transformed; conversely, when the creative appropriation of that authoritative original ceases or stops making sense, then the original loses its authority upon us as well" (Benhabib 2007, 21). In the context of images of suffering such as that of Bouazizi's self-immolation the authoritative original is the irreducible nugget that resists being explained once and for all, or, to say it in Adorno's vocabulary, resists being objectified and reduced to the terms of identity thinking. This is a nugget of contingency and irrevocability that, precisely because it cannot be repeated, does not let the viewer just watch the image but engages her in thinking of herself as a vulnerable bodily subject.

According to Benhabib, "there is a fundamental relationship between complex cultural dialogues among peoples in a global civil society and processes of democratic iteration. Only when members of a society can engage in free and unrestrained dialogue about their collective identity in free public spheres can they develop narratives of self-identification that unfold into fluid and creative re-appropriations of their own traditions" (Benhabib 2007, 23). If the image of Bouzizi's self-immolation has acted as a fuse for the chain-explosion of protests known as the Arab spring, it is in my reading because it has engendered a process of visual iterations. The consciousness that is behind the new cross national Arab humanitarian polity, demanding the implementation of true deliberative democratic rule and the respect of human

<sup>4</sup>Derrida holds that what makes something a sign is its conformity to a certain code or structure, and its place in that code or structure. While many tend to think of these structures or codes as universals, rules or conventions, Derrida's position is that, wherever there is a formal order, there must be the possibility of different realizations of that order. Thus, the sign must be iterable. Yet, the order that is supposed to give the sign its identity is in a sense itself a sign, in the sense that it too signifies. How, then, can we fix the identity of the order? For, if we don't, we have to believe, as Derrida does, that the identity of the order is constituted by all its possible realizations. And if his is the case, the identity of the sign supposed to be constituted by that code is constituted by all the possible repetitions of that sign. In this sense, the structure of iterability that makes a sign possible constitutes the identity of a sign. Since that identity is constituted by all the possible repetitions or uses of the sign, such identity can never be consummated or fully exhausted. This is why it is always deferred, which means that the sign as a type is never fully there. The structure of iterability cannot thus be understood in terms of the type/token distinction. Furthermore, since all possible uses of a sign are involved in constituting the identity of a sign, assumed as a unity of signifier and signified, or meaning, it follows that all possible uses of the sign are involved in fixing its meaning. Finally, if this is all true, it follows that the very possibility of the so-called deviant, abnormal, parasitical uses affects how we are to understand any use.

rights, has engaged with the image of Bouazizi's charcoaled body some form of "unrestrained dialogue" about its identity. It is in dialogue with images of suffering as this one that the Arendtian appeal to the principle of humanity is worked out. If I am right, then unlike Benhabib's democratic iterations that she seems to see occurring in contexts in which right claims are politically implemented, visual iterations may sustain the challenge of a context in which right claims are not politically implemented. In fact, by being visually iterated, images of suffering performatively constitute the space in which right claims emerge as "an urgent reality."

#### 8.4 Injurable Lives

By presenting the human body as the fundamental locus of reality in all its fragility, an image of suffering such as Bouazizi's self-immolation resists, and in doing so reveals, an important component of the dominant discourse of dehumanization and violence: radical self-sufficiency, which is the foundation of social disconnection and atomization.

For Butler, singularity and mutual dependence go hand in hand, and stem from the recognition of what she calls "precariousness," understood as shared exposure to vulnerability and loss. We recognize each other to be unique and interdependent only if we are able to recognize under what conditions the life of the other, like mine, can be sustained. This recognition is predicated on the awareness that existing is to face vulnerability and the risk of loss, and thus, that to recognize the other as both unique and interdependent is to affirm our common exposure to the possibility of grief. Grievability, therefore, is a necessary condition for the recognition of the other. Pictures of suffering reinstate precariousness on deontological grounds and because of its present uneven distribution.

The notion of precariousness, in Butler's theory, stems from her assumption that to be a body, human or otherwise, is to be exposed to "social crafting." In her *Frames of War*, Butler writes, "the body is exposed to socially and politically articulated forces...that make possible the body's persisting and flourishing" (Butler 2009, 3). Butler's point here is that the body is neither a purely biological entity nor a socially self-sufficient one. Rather, like the human subject, the body is constituted through "norms, which, in their reiteration, produce and shift the terms through which subjects are recognized" (Butler 2009, 3–4). The set of norms or normative conditions that produce subjects and bodies by making them recognizable have "historically contingent ontologies," which can be analyzed as politically saturated frames.

Butler observes that existing norms allocate recognition differentially, as a function of a given population, nation, or community's political weight, social relevance, and closeness to the global media. As a consequence, since recognition means apprehending the precariousness of the life of the other, there are others whose precariousness is not recognized. These are expendable lives, lives apparently without material needs. These are lives that are reductively presented to us as simply "living" and thus perceived as not belonging to an individuated agent. If precariousness means that life

is subject to social and economic conditions that put my existence in the hands of others, a life perceived as non-precarious is a life whose vulnerability is obscured, and thus a life that cannot be grieved or mourned. Concurrently, lack of recognition of a life's precariousness entails to be relieved of all responsibility for it.

I wish to conclude my analysis of the role of images of suffering as visual iterations by examining two photographs from the Abu Ghraib prison in Iraq, portraying two American officers posing with their thumbs up next to the body of a detainee killed during an interrogation. I will show how, as it has been the case in Iran in 2009 and in the context of the events of the Arab Spring in 2011, also in 2006 the circulation of photographs documenting abuses worked both at a negative dialectical level, by revealing dehumanization as the uneven distribution of grievability, and performatively, by fostering and shaping the development of humanitarian consciousness in global civil society.

In discussing nationalism, Butler claims that it "works in part by producing and sustaining a certain version of the subject...produced and sustained through powerful forms of media." We cannot forget, Butler admonishes, "that what gives power to their version of the subject is precisely the way in which they are able to render the subject's own destructiveness righteous and its own destructibility *unthinkable*" (Butler 2007, 47). The occlusion of vulnerability does not only concern the victim's life but also the perpetrator's life, which is represented as righteous whether the agent is an individual, a group, or a state.

The two pictures I am considering here show Specialist Charles Graner and Specialist Sabrina Harmon posing over the body of a detainee, Manadel al-Jamadi, who was allegedly beaten to death by interrogators in the prison's showers. Both officers are standing and bend down over the al-Jamadi's body, which is immersed in ice and lies in a body bag whose zipper is open in order to show his face. Al-Jamadi has a bandage covering the area of his left eye. We don't see his expression, only his mouth trapped slightly open in the tightness of *rigor mortis*. In both photographs, Specialist Graner and Harmon display a bright smile, their right hand in a green plastic glove posing in a sign of victory: thumbs up.

These images are a paradigmatic expression of the norms regulating the recognizability of life at the height of the so-called War on Terror. Such norms have crafted the "structure of feeling and reference" of the global public opinion so that it would apprehend the spectacle of violence selectively. For example, the practice of "embedded journalism," which was implemented by the Bush Administration since the invasion of Iraq and was accepted by media organizations to get closer to action on the battlefield, crucially contributed to shaping the public's structure of feeling and reference selectively. And it did so by seeking to control not only "what" the public was being exposed to, and shielded from, but also by determining "how" the public was perceiving others and their vulnerability. That perspective, as Butler aptly noted, "is a way of interpreting in advance what will and will not be included in the field of perception." Scenes of war "are meant to be established by the perspective that the Department of Defense orchestrates and permits, thereby illustrating the orchestrative power of the state to ratify what will be called reality: the extent of what is perceived to exist" (Butler 2009, 66). A "frame" is thus in place

that structures as much by excluding what should remain unrecognizable from the perceptual field as it does by including in it what is deemed appropriate or necessary to be recognized. This is what the pictures of two deranged American soldiers express, for, as Butler cogently affirms, agency here “takes place by virtue of the structuring constraints of genre and form on the communicability of affect – and so sometimes takes place against one’s will or, indeed, in spite of oneself” (Butler 2009, 67). Like Adorno’s identity thinking, framing is active but silent and invisible. As life unfolds, actions and events are figures emerging from a background that cannot be represented comprehensively; only pointed at a background that can in terms of its delimiting and thus negative function.

The ice in which al-Jamadi’s body appears immersed denounces the irreducible contingency of his physical death and imminent organic decay, as do the plastic gloves that both soldiers are wearing, which insulated them from touching the cadaver as they were opening the body bag to take the picture. But the highly symbolic choreography of the photograph has the ice contribute to the sharply oppositional framing of enemies and friends that the dominant ideology of the War on Terror was promulgating. Fully demonized enemies ought to be frozen and put away for good. Even though it was shot by a private digital device, these photographs replicate the media representations of the face of the enemy during those years, which seemed to literally antagonize one of the most stunning figures in the post-Holocaust sensibility: Emmanuel Levinas’ “face.” Although not exclusively human, Levinas associates the face with the sense of the precarious and the injurable.

Both demonized and victimized in the extreme, al-Jamadi’s status in the photograph is such that makes recognition of his precariousness hard, if not impossible. Unlike the other images that I discussed in this paper, this is a highly ideological example that makes a statement concerning who is and who is not to be grieved almost explicitly. In this sense, it could lend itself to being considered for exclusion from public viewing alongside other images that either aestheticize the pain of others or expose it for sensationalist purposes.

Ultimately, I do not agree with any kind of censorship on images of suffering, which seems not only morally problematic but practically anachronistic given the acceleration and massive increase in the circulation of images via mobile devices. However, I do believe that a thin normative framework ought to be worked out for both the “ethics of seeing” and the “ethics of showing” human suffering.

The ethics of seeing is minimally discussed by photography criticism and photo-journalists and revolves around the responsibility that individual viewers of images of suffering ought to take in establishing the boundaries of legitimacy within which the pain of others enters into their field of perception.

The ethics of showing pertains to the more navigated terrain of decisions made by news organizations but also, and increasingly, by individuals who elect themselves as agents of visual documentation of atrocities. Our visual environment is rapidly changing in new and ever more chaotic ways: not only mobile devices such as iPods and cellular phones have acquired the ability to visually document, but social networking sites are now the premier channels of circulating images. While some have expressed worries about “the democracy of the camera,” as Andy

Grunberg has called it, others, such as Gilles Peress, the great photographer and thinker of the image, suspect that it offers unprecedented opportunities for humanitarian theory and practice. As Linfield notices, “the new technologies have also led to the emergence of transnational organizations such as Photo Voice, which teaches refugees and street children to expose the conditions of their lives through photo-journalism; Pixel Press, a new media organization and website that collaborates with human rights organizations to disseminate otherwise unseen documentary work; and Demotix, a ‘citizen journalism’ website and photo agency that promises photographers, whether professional or amateur; “You take the images, we get them out there”” (Linfield 2010, 61).

If we take Butler’s notion of precariousness, defined by the recognition of the other’s injurability as a normative standpoint, the first preoccupation from both the perspectives of the ethics of seeing and the ethics of showing should be that such recognition is evenly distributed across different populations. Whenever others are either demonized or victimized to the extreme, their lives are not framed as vulnerable and thus grievable. While those “others” are oftentimes grouped and objectified into a “them,” they would need to recover the multifaceted reality that constitutes our shared humanity, vulnerability to suffering, and constant exposure to the risk of loss. But the same reification haunts the “we.” The founding obligation of both showing and seeing the suffering of others is thus to disrupt any collective actor’s claim of a fixed oppositional identity, such as a “we” or a “them,” since a group, a nation, or a culture is not only delimited by other groups but also internally differentiated into singular unique individuals whose identity is crafted and re-crafted constantly by their relations to others and themselves, by the forces shaping the context in which they live or which they left behind; and finally, by all the discursive framings and their distinct effects on each human subject.

The work of self-scrutiny, deconstruction of frames, and reconstruction of mentalities that this commitment to precariousness and injurability entails, does not offer the guarantees of a classical normative ethics, founded on governing principles and individual rights and duties. As Benjamin correctly saw, however, a promise lies in its folds: a promise fed by the irresistible urge we develop when seeing and showing images. The urge to find in them a tiny spark of contingency, “the inconspicuous spot where in the immediacy of that long forgotten moment the future nests so eloquently that we, looking back may rediscover it.” This requires perhaps the most difficult kind of recognition: the recognition of the spectrality of freedom not only in an interconnected world, but among interdependent human subjects. In this sense images of suffering keep holding us hostage.

## References

- Adorno, T.W. 1973. *Negative dialectics* (trans: Ashton, E.B.). New York: The Seabury Press.  
 Arendt, H. 1952. *The origins of totalitarianism*. New York: Harcourt Brace.  
 Arendt, H. 1968. *Men in dark times*. New York: Harcourt Brace.



- Arendt, H. 1994. *Essays in understanding*, ed. J. Kohn. New York: Harcourt, Brace and Co.
- Arendt, H. 1998. *The human condition*, 2nd ed. Chicago: The University of Chicago Press.
- Benhabib, S. 2004. *The rights of others: Aliens, residents, and citizens*. New York: Cambridge University Press.
- Benhabib, S. 2007. Another universalism. On the unity and diversity of human rights. *Proceedings and Addresses of the American Philosophical Association*, 81(2):7–32.
- Birmingham, P. 2006. *Precarious lives. The powers of mourning and violence*. London/New York: Verso.
- Butler, J. 2004. *Hannah Arendt and human rights*. Bloomington: Indiana University Press.
- Butler, T. 2009. *Frames of war. When is life Givable?* London/New York: Verso.
- Derrida, Jacques. 1988. *Limited Inc*, ed. Graff G. Evanston: Northwestern University Press.
- Galeano, E. 1997. Salgado 17 times. In *An uncertain grace*, ed. S. Salgado. New York: Aperture.
- Habermas, J. 1989. On the public use of history. In *The new conservatism. Cultural criticism and the historians debate*, ed. and trans NicholSEN S. Weber. Cambridge: MIT Press.
- Hochschild, A. 1999. *King Leopold's ghost*. New York: Mariner.
- Linfield, S. 2010. *The cruel radiance. Photography and political violence*. Chicago/London: University of Chicago Press.
- Scurry, E. 1988. *The body in pain. The making and unmaking of the world*. Oxford: Oxford University Press.
- Sliwinski, S. 2006. The childhood of human rights: The Kodak on the Congo. *Journal of Visual Culture* 5(3): 33–363.