

Finding indigenous critique in the archives: Thoughts on Didier Fassin's 'The Endurance of Critique'

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In the Acknowledgements of Didier Fassin's article, "The Endurance of Critique," he records that he finished revising this essay on 9 November, the day that saw the election of Donald Trump as president of the United States. Fassin thereby situates his own analysis — and critique — of the critique of critique in a particular, and particularly acute, context: this "present laden with worrying spectres" (2017: 23). Throughout his discussion there are references to the importance of critique specifically now. Critique matters "for the times we live in" (2), he writes. And for anthropologists, making sense of the apparently incomprehensible is important "especially in our time of Manichean interpretations of the world" (7). In the Editors' Note, they describe these times as "troubled and dangerous." And Fassin reminds us towards the end of the essay, that "from a political perspective, critical thinking is in urgent need to go public in the hard times the world is going through... [a]s inequality, violence, bigotry, intolerance, and increasingly censorship and self-censorship expand" (22). This sense of urgency and threat is in part a reaction to the storm of attacks on critique and even critical thinking that is apparent in right-wing anti-intellectual populism we see spreading before us like an oil spill. It is also a response to what has emerged as a rejection of critique from many corners of academic discussion. The diversity of these attempts to disqualify it (9) add to the sense of emergency for those of us who, like Fassin, want to reaffirm critique as a fundamental part of anthropology's mission, generally, and in the face of today's distinct and pressing challenges. This sense of urgency highlights the problem of the temporality of critique, as well as the importance of attending to the positionalities and purposes of the critic in the world.

Through an erudite exploration of different approaches to critique, assessments of the onslaught against it, and through reflections on his own contributions to anthropology, Fassin develops a proposal for "more stable grounds for critique" that he calls "critical ethnography" (18). A key element of this approach is an appreciation of "the critical sense of our interlocutors and informants" (18), combined with other sources of information and interpretation, and a willingness to use any of the implements available in the handbag of theory. But as any geologist knows, hazards to ground-stability come in many forms, natural and human-made, from subsidence and sand, to mining and fracking. For anthropologists, the shaky foundations that can threaten the "many mansions" of anthropology's house (23) also have many sources. Presentism and capitalistic aspirations to theoretical trend-setting are two (and which come up in different contexts in Fassin's essay).

What I would like to consider is what support for this project of critical ethnography can be found in the depths of history. By taking a genealogical¹ approach to critique in the world, and analyzing the sedimented and shifting layers of critique, including the debates and refusals of critique that happen in various terms in different epochs and contexts, perhaps we can shore up even more robustly the critical ethnography that Fassin advocates. Understanding how, in the world in the past, critique has obviously mattered — or dissipated with no apparent effect — may help us think about critique, and express it, in more effective ways today. The expansion of critical ethnography to include a historical ethnography of critique itself would yield further insights into the nature and power (or weakness) of the practice of critique today.

In another of Fassin's articles, "The Public Afterlife of Ethnography," (what may be considered a companion piece to the essay under consideration), he tracks the social life of anthropological critique, with a scope limited to the recent past and focused on his own exemplary work. He makes a strong case for paying attention to what is to be gained from following how ethnographic research reaches different publics and "the sort of productive uneasiness it generates" (2015: 595). Another dimension of this project would be to take "the critical sense of our interlocutors and informants" (2017: 18) a step further to understand, with all its historical and ethnographic richness, the formulation, circulation, and "afterlives" of "native critique" itself. We might learn something more about the relationship of critique to praxis if we recognize and appreciate not only the critical sense of our interlocutors, but also their elaborately detailed and debated critiques, analyzing how they get heard as credible and actionable, how they fall on deaf ears or provoke vocal rejection, as well as how they get taken up and bolster future action. This means understanding the source of people's blindness to how critique does, and is not likely to work, in the world, and the reasons why even the most clear-eyed strategies for making critique stick can fall short. The language games and epistemological struggles that drive power/knowledge in different directions are historically variable, and therefore "must be identified and traced historically" (Geuss 2002: 210-11).

The frameworks that prevent critique from affecting action or from shifting structures often seem obvious. The lack of access to the media for a prisoner stuck in isolation, or a peasant's illiteracy that prohibits the recording of a complaint, or a colonized subject's petition being deemed not "receivable" by the League of Nations.² These situations of differential institutional access and structural exclusion exemplify something of how systems are stacked against the subaltern and the disempowered in seemingly obvious ways. But surely the point of critique (especially in its genealogical mode), precisely is to denaturalize what seems obvious, to defamiliarize (Geuss 2002: 212), and to unearth other forces (characters, discourses, habits of thought and body) at work. This is to specify "the mutable social and political contexts within which foundational concepts are deployed" and how they got there (Scott 2007: 24-25).

CRITIQUE IN THE ARCHIVES

We may attribute to great and widely read theorists the unearthing of foundational concepts, critiques that have the most revolutionary of implications. The deconstruction of modernity and

sexuality by Michel Foucault, the excavation of orientalism's relationship to empire by Edward Said, the reformulation of gender by Judith Butler, the critique of historiography by Joan Scott, or the interrogation of modernity, social science, and religion by Talal Asad have shifted whole fields of study, casting new light on epistemologically embedded assumptions. But critique – in this genealogical sense, not just criticism – happens in more quotidian, parochial, and political forms, too, in the societies we study and among the people we work with. They are less widely read, perhaps, and may be focused on less grand abstractions, but are no less trenchant and interesting for that. Our informants, in the archives or the field, also see through the generalizing assumptions of social identity categories, they recognize the power of political frameworks, the capacity of language and labels to obfuscate. This is especially common among those who are suffering from the short end of history's stick.

I have come to see the international investigative commissions to Palestine that I have been studying in recent years as one framework in which critique gets staged, and just as often defanged or simply disappeared.³ The archives of these commissions are filled with Palestinians' deconstructionist critiques of colonialism, humanitarianism, and even the idea of investigation itself. The fora for Palestinian critique is certainly not limited to these commissions, and critique happens in embodied, practiced forms beyond discourse, too (Comaroff 1985). But these investigative processes coalesce an archive that offer up a concentration of discourse, debate, and rejoinder that gives special insight into the formulation, reception, and "afterlives" of "indigenous critique" of the sort I am calling attention to with this Commentary.

There have been numerous investigative commissions to Palestine. The UN has spearheaded many recent fact-finding missions, the 2009 Goldstone Commission that investigated violence in the Gaza Strip being an infamous example.⁴ The Anglo-American Committee of Enquiry that I use as my example in the remainder of this discussion was set up at the end of World War II to investigate the position of Jews in Europe and conditions in Palestine as they related to Jewish settlement there. Each commission to Palestine has consisted of a group of experts of one kind or another, including academics, lawyers and judges, legislators and diplomats. Each was charged by a coalition of governments with investigating a specific set of circumstances in Palestine -- usually prompted by a period of intensified violence. In general, they are charged with understanding the reasons for the violence, and making recommendations about how to reach a political solution. Among other issues, the Anglo-American Committee was assessing the possibility of opening Palestine, then under British rule with League of Nations oversight, to mass Jewish immigration. They considered this as a means to alleviate the problem of the Jewish displaced persons suffering in wretched conditions in Europe. The Zionists, who were lobbying hard for this expanded immigration, saw this as a means to tip the demographics in Palestine and clear the way to Jewish statehood there.

TWO MOMENTS OF CRITIQUE

In "A Note on the Palestine Problem," a pamphlet prepared by Fayiz Sayigh on behalf of The National Party and submitted to the Anglo-American Committee (1946), the author notes the not encouraging track record of previous commissions, which were unsuccessful in their attempts to reach a just solution for the "Palestine Problem." This is his hook for the critique of the conceptualization of the Problem (capitalized throughout) that the pamphlet offers, and the proposal for a just solution that this critique clears the way for. The inappropriate conceptualization of the problem has led "from an erroneous starting-point" to "fruitless" attempts at resolution that were "*apriori* doomed to failure," he asserted (3-4). Instead of looking on the Problem as would an arbitrating judge seeking justice, the Problem has been approached from the standpoint of "a politician desiring to mitigate an embarrassing perplexing situation" (4). Here the reference is to the Balfour Declaration, among other western decrees, which Palestinians had been protesting since the British made this promise to help facilitate a Jewish homeland in Palestine in 1917. This "erroneous conception" and "unfortunate blunder in the approach" to the problem are what make it appear insoluble, not any "intrinsic insolubility" (4). As Sayigh argued, it is from the standpoint of justice, not compromise, that a solution could come into view (5).

The rest of the pamphlet deconstructs nationalist assumptions of Zionism that insist on a link between "the Jewish Problem" and Palestine; records the ways that the Balfour Declaration is politically and legally invalid, underscoring the document's own internal incoherence (for promising a national home in Palestine to the Jewish people while insisting on doing nothing to prejudice the civil and religious rights of non-Jewish communities there); and concludes with a proposal for a "radical solution" for the just settlement of the Palestine Problem in the "establishment of a democratic system of self-rule" (12). By showing how British discourse fails on its own terms – drawing out the impossibility of encouraging immigration while promising to maintain the rights of non-Jewish communities – Sayigh presents not just a criticism from the nationalist position, but immanent critique of British political reason.

The confidence that Sayigh expressed "that the very presentation of th [sic] Problem in this light is itself the sure guide to its solution, and the true pathway to the achievement of justice" (6) turned out to be misplaced. Although he may have believed that the pulling aside of ideological veils through critical analysis would necessarily affect action, nevertheless, among the final recommendations that this Committee produced was to issue certificates for the immigration of 100,000 Jews to Palestine. Events overtook the Anglo-American Committee report: its recommendations were not implemented, a new Commission was assigned – the United Nations Special Committee on Palestine (UNSCOP) – that awarded the Zionists with a recommendation that mandatory Palestine be divided, and the Jews be given 56% of Palestine, despite the fact that the Arabs outnumbered them by almost two to one. War broke out, 750,000 Palestinians were made refugees, and 150,000 others were put under military rule in the new state of Israel. As far as I know, the Anglo-American Committee never engaged directly with Fayiz Sayigh or his pamphlet. His critique, one of tens of similar arguments that Palestinians

and their representatives had been putting before the western powers for decades, fell on deaf ears.

Twenty-nine years later, in the Autumn of 1975, Fayiz Sayigh, who by then had become UN representative of Kuwait, presented a new critique that made rather more of a splash. In four statements that Sayigh made at the United Nations General Assembly, he analyzes Zionism – as an ideology with doctrines, objectives, programs, and practices – and critiques it as constituting “racial discrimination, as authoritatively defined by the United Nations.” Zionism vests certain important rights – such as the right to return to the Palestinian territories occupied by Israel – to Jews, and denies those rights to non-Jews. The discrimination inherent to Zionism that is “based on ‘descent’ or ‘national origin’ or ‘ethnic origin’” reveals itself to be “incontestably a form of racial discrimination” (1975). The argument, which built on an analysis of Israeli laws and practices, and referred to the 1965 International Convention on the Elimination of All Forms of Racial Discrimination,⁵ was then embodied in UN GA Resolution 3379.⁶

This critique gained traction in part because of the political and institutional contexts in which Sayigh generated it. In 1975, with the infusion of recently decolonized states into the world organization, the United Nations was something very different from what it was in when it awarded the Zionists a state in Palestine in 1948. And Sayigh’s critique hit a raw nerve in those invested in maintaining the fiction that Israel was the one pristine democracy in the Middle East, in a context in which the General Assembly of the United Nations constituted a political bloc against colonialism. The UN’s declaration that Zionism is racism prompted US Ambassador to the UN, Daniel Patrick Moynihan, to immediately speak out “in tones of utmost concern” against “this infamous act,” for which he received praise from Hilary Clinton more than two decades later.⁷ In the United States, UN Resolution 3379 prompted protests, US Congress condemnations, and denunciations in the press and on television. The controversy that the UN GA Resolution sparked led to the convening in 1976 of an international symposium, which in turn led to the establishment of the International Organization for the Elimination of All Forms of Racial Discrimination. In December 1991, the United Nations General Assembly voted to revoke the statement (Lewis 1991).⁸

The analysis, now more often translated as an equation of Zionism with Apartheid, continues to provoke discussion and condemnation, and to mobilize collective action. A report issued in March 2017 by the UN Economic and Social Commission for Western Asia (ESCWA) concludes that Israel is a racist state and has established an apartheid regime. It was almost immediately withdrawn by UN Secretary-General António Guterres, which prompted ESCWA Secretary General, Rima Khalaf, to resign in protest, continuing to defend the report.

CONCLUSION

Although by all accounts Fayiz Sayigh always spoke in measured tones, unflappable and without emotion, there was also a sense of urgency within the critiques that he put forward in these two moments. In 1946, the production of a Zionist state in Palestine was evident. The

establishment of the state of Israel and expulsion of 750,000 Palestinians two years later shows how warranted was this sense of immanent danger. In 1975, six years of Israeli military occupation of East Jerusalem, the Gaza Strip, and West Bank were enough to reveal that the occupation was entrenched and brutal. Israeli human rights lawyer, Felicia Langer (1975), documented human rights violations that were a routine part of the occupation, as did Amnesty International (1975), and the United Nations.⁹ For those living under these conditions, enduring torture in prison, dealing with the effects of land confiscation, suffering the "general despair that made life so intolerable," there was an urgent need to reveal the reality, and to deconstruct the myths about Israel's self-proclaimed "benevolent occupation" (Shehadeh 2002: 135-136). These Palestinians, too, felt the need for critique in particularly acute contexts, and understood it mattered for the times they lived in. Perhaps critique is always urgently needed, and the urgency is ongoing.

The critique embodied in UN GA Resolution 3379 did not end Israeli discrimination against Palestinians. Tracing the furore and forms of solidarity that it ignited, and the controversy that this line of critique of Israel's founding ideologies and ongoing practices continues to produce, reveals the map of power's nerves beneath the surface of a system of domination. As do other attempts to publicly critique the state of Israel and draw people together into action based on critical analysis, such as what is being attempted by the Boycott, Divestment, and Sanctions (BDS) movement.¹⁰ The long line of native critique is an empirical rejoinder to those opponents of BDS who would try to delegitimize it for being an inauthentic and non-representative tool of foreigners. And it draws attention to the politically conditioned myopia that refuses to acknowledge the richness and historical depth of Palestinian intellectual production, political creativity, and anti-colonial critique. This historical sensitivity to genealogies of indigenous critique and their afterlives is thus relevant for developing a better understanding of our political present.

The historical conditions, political contexts, institutional channels, conceptual penumbra, and ethnographic surround of critique must be carefully considered in order to understand better what stifles it, or what amplifies it. Understanding what enables critique to become a prompt to political mobilization and social change should be an important focus for anthropology today.

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¹Because maintaining the metaphor to call it archeological would confuse theoretical matters.

² On the "receivability" of petitions to the League of Nations, see Cowan 2003 and Wheatley 2015:210.

³ For one result of this research, see Allen 2017.

⁴ The United Nations has sponsored many forms of investigations, including "independent fact finding missions," panels of inquiry, and Special Rapporteurs. One UN inquiry commission on Palestine investigated the "Gaza Conflict" and released its report on 22 June 2015: UNHRC, 24 June 2015, UN Doc A/HRC/29/CRP.4.

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⁵ Available at <http://www.ohchr.org/Documents/ProfessionalInterest/cerd.pdf> (accessed 6 April 2017).

⁶ "Elimination of All Forms of Racial Discrimination," A/RES/3379 (XXX), November 10, 1975. Available at

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⁷ "Tribute to Senator Moynihan and his legacy defending Zionism."

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⁸ For more on this Resolution in its context, and on Fayeze Sayegh, see Feldman (2015), Chapter 1.

⁹An Amnesty International report on torture published in 1975 mentions beating and electric shock as torture techniques used against prisoners under interrogation in Israel (231-234).

¹⁰ <https://bdsmovement.net/pacbi>