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## **Gendering (In)Security: Interrogating security logics within states of exception**

Sophia Dingli and Navtej Purewal

### **Abstract**

This collection contributes to debates which seek to move feminist scholarship away from the reification of the war/peace and security/economy divides. However, rather than focusing on the terms of the debate, we foreground the empirical reality of the breakdown of these traditional divisions, paying particular attention to the 'state of exception' and other frameworks akin to it. In doing so, contributors to this special issue trouble the ubiquitous concept and practices of '(in)security' and their effects on differentially positioned subjects. By gendering (in)securities in 'states of exception' and other paradigms of government related to it, especially in postcolonial and neo-colonial contexts, we provide an approach which allows us to study the complex and interrelated security logics which constitute the messy realities of different - and particularly vulnerable - subjects' lives. In other words, we suggest that these frameworks are ripe for feminist interventions and analyses of the logics and production of (in)securities as well as of resistance and hybridisation.

**Keywords:** security, state of exception, vulnerability, gender, colonialism, feminist security studies.

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## Introduction

'Security,' despite being ubiquitous within contemporary political discourse, is an elusive term. It is conventionally used to denote national policy frameworks, defense and military strategies and pragmatic responses to perceived 'threats'. Simultaneously, it is used as a nomenclature for an intangible ideal of 'safety', while it also defines who and what warrants protection or who and what requires expulsion, disposal, or eradication. As a concept, security also allows for the violence of other controlling and containing strategies, not least gendered hierarchies and regimes, to be normalised or appear invisible or neutral.<sup>1</sup> Political modernity's current US-led neo-imperialist trajectory, backed by finance capital and neoliberal ideology, has spread security discourses to postcolonial and neocolonial contexts. In the process, it has illustrated that the liberal principles of liberty, rights and justice have in practice become the bait while security is the hook which binds post-colonial states to the project of global capitalism.<sup>2</sup> Perhaps in recognition of this purposive and functional duplicity, feminist security studies (FSS) has joined critical approaches which challenge the presentation of 'security' as an emancipatory project with solutions for 'security problems'.<sup>3</sup> Therefore, FSS has been dedicated to uncovering the agency, representation and vulnerability of women, increasingly within a war and conflict frame thus exploring the ways in which 'security' discourses are constituted by gender inequalities. However, it has not gone far enough in connecting the multiple facets of security in order to move beyond the dichotomies of war/peace and security/economy.<sup>4</sup> Indeed, feminist work on the 'economy' and the vulnerabilities it produces has

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<sup>1</sup> Montesinos Coleman and Rosenow, "Security (studies) and the limits of critique"

<sup>2</sup> Mishra, *The Age of Anger*.

<sup>3</sup> Aradau et al, "Post-structuralism, Continental Philosophy and the Remaking of Security Studies."

<sup>4</sup> Here it should be noted that the focus on the war/conflict nexus is arguably quite recent since the foundational works of FSS easily traversed the now stringent disciplinary boundaries showing, for example, how reproductive labour is

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been undertaken by the Feminist Global Political Economy (FGPE) scholars, who challenge the neutral state of knowledge and understanding of the economy illustrating how it is constituted by gendered inequalities and produces particular vulnerabilities. This division of labour has resulted in the reification rather than a questioning of the foundational frameworks at a time when these frameworks least correspond with the empirical reality of increasingly prevalent necropolitics of 'states of exception'.

This collection is positioned at the intersection of current attempts by feminist scholars to cross boundaries and build bridges between analyses of gendered vulnerabilities undertaken by FSS and FGPE,<sup>5</sup> while paying particular attention to the past and present legacies of colonialism.<sup>6</sup> By gendering (in)securities in 'states of exception' -and other paradigms of government akin to it, especially in postcolonial and neo-colonial contexts, we provide *an* approach, among many,<sup>7</sup> which allows us to study the complex and interrelated security logics which constitute the messy realities of different -and particularly vulnerable- subjects' lives.<sup>8</sup> In other words, we suggest that these frameworks are ripe for feminist interventions and analyses of the logics and production of (in)securities as well as of resistance and hybridisation.

This article proceeds by first discussing the paradigm of the state of exception. Though the term has been used widely in legal and political theory, this first section focuses on the seminal work of Giorgio Agamben whose *State of Exception* and *Homo Sacer* explore the general and particular (in)securities produced by the modern sovereign state. The second section explores the occlusions which characterize Agamben's analysis. In particular, this section addresses Agamben's silence on the aspects of gender, colonialism and imperialism by illustrating some of the ways in which gendered security logics determine the vulnerability of differently identified subjects. The third section of the article introduces the contributions to our collection which illustrate both the need to

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essential for the construction of the production of the security state (Tickner 1997; Enloe 2000). Furthermore, as Katherine Allison shows discussions and debates of the link between economics, women's insecurity and emancipation were ubiquitous in feminist writing, especially in relation to the subject of socialism (Allison 2015). Nevertheless, for the majority of the 21st century FSS analyses of (in)security have focused on the nexus of war/conflict/militarisation. For example see: Sjoberg, *Women as wartime rapists*; Sylvester, *War as experience*, Stachowitsch, "Military privatization"; Baaz and Stern, "Why do soldiers rape?"

<sup>5</sup> For recent attempts see: Chisholm and Stachowitsch. "(Re) integrating Feminist Security Studies and Feminist Global Political Economy"; Elias, "Introduction: Feminist security studies and feminist political economy"; True, *The Political Economy of Violence against Women*; Zillah, *Against Empire*; Enloe, "Closing Reflection: Militiamen Get Paid; Women Borrowers Get Beaten.", 436

<sup>6</sup> Agathangelou, "From the Colonial to Feminist IR"

<sup>7</sup> Alisson, "Feminist Security Studies"

<sup>8</sup> Kunz, "Beyond the "Helpless Nepali Woman" versus the "Fierce Maoist Fighter"

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gender governance paradigms and the productive possibilities for doing so for feminist interventions seeking to transcend prevalent dichotomies. This introductory article finishes by reflecting upon the contributions of this collection as a whole to our understanding of security and of resistance to prevailing security logics.

### **The state of exception**

The state of exception as a juridical category has had a long history. Western political discourse traces its origins to when it was first introduced in a 'state of siege' declared by the French constituent assembly in 1789. This declaration in effect suspended civilian authority, handing it over to the military. The 'state of exception' ever since has signalled a time when the normal function of the law is suspended; as such, its relation to the law and to sovereignty itself has been central and contested. On the one hand, Carl Schmitt argues that the ability to decide on the exception, which suspends the norm of the law but not the rule, is constitutive of sovereignty itself and preserving of the law as well as of the security of the state and its people.<sup>9</sup> Giorgio Agamben, on the other hand, argues that Schmitt's is an attempt to claim the exception *for* the law and to legitimise sovereign violence. This is to the detriment of both particular groups, who he termed *homines sacri*, to whom we return below, and of the whole of society.<sup>10</sup> This is because a central feature of the state of exception is that the language of war, for our purposes the language and 'logic' of security, which accompanies the state of exception persists after the state of siege has ended, resulting in and justifying the extension of sovereign power<sup>11</sup> with dire consequences. What is more, he shows that states of siege have increasingly been extended to the realm of the economy since the 19th century.<sup>12</sup> This has further signaled the encroachment of biopolitical power into natural life making the exception and, in turn, security the most prevalent paradigm of governance during war *and* peace.

The unending war on terror is a stark example of the continuous use of the language of war, or the language of security, in relation to all aspects of life. Furthermore, it also illustrates the fact that the consequences are meted out to different groups differentially, according to their positioning within security logics. Those who are worst off Agamben likens to the Roman *homines sacri*: 'lives that

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<sup>9</sup> Schmitt, *Dictatorship*.

<sup>10</sup> Agamben, *State of exception*

<sup>11</sup> *Ibid.*, 59

<sup>12</sup> *Ibid.*, 13-22

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meet in the wasteland between exile and belonging, between life and death'<sup>13</sup>. They are designated as such by the state since the state decides who is to have political life or bare life.<sup>14</sup> This is, of course, constantly changing and the state can designate a group to the wasteland and then bring them back to life. One such example is the treatment of Jewish populations presented as a security threat in historical anti-semitic Europe who were then reframed by 'the Allies' in post-WW2 paternalistic reconstructive discourse as victims in need of a homeland within the rapidly changing geopolitical landscape of supposed decolonisation in North Africa and the Middle East. Since 1948 Israel has constituted a governance regime with its own state of exception by systematically denying Palestinians in the occupied territories the right to life while also instituting laws which make the lives of Palestinian citizens increasingly precarious.<sup>15</sup> The detainees at Guantanamo Bay, Abu Ghraib and other extra-legal detention camps are exemplary contemporary *homines sacri*, as are children and families held and separated at border internment facilities on the US' Southern border. The circumstances that they face are a stark reminder that states of exception are not declared in relation to (at least initially) credible security threats but to constructed and imagined ones.

### **The differential effects of the state of exception: gendered security logics**

By focusing on the intensification of state intervention in what was previously construed as the private sphere of natural life (the *oikos*) in the name of security and protection, Hannah Arendt invites us to rethink both the feminist slogan 'the personal is political' as well as the drive towards the eradication of the public/private divide.<sup>16</sup> This also brings into focus Wendy Brown's arguments against the reification of states of injury<sup>17</sup> and Agamben's warning that rather than offering solutions, this amplification of sovereign power is totalitarian in character and reduces the space of human activity. All of these intellectual contributions have been formative in the shaping of this collection's focus, however, not without their limits. For instance, the situation at internment camps either at the US border or at Guantanamo, where people experience the law in all its Kafka-esque brutality and inescapability, highlight two aspects of the state of exception which Agamben does not examine. The first is that gender affects the distribution of vulnerability and harm within states of exception especially for *homines sacri*. In US internment camps, immediately following the end

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<sup>13</sup> Nikolopoulou, "Review: Homo sacer", 125

<sup>14</sup> Agamben, *Homo Sacer*

<sup>15</sup> Green, "Israel's New Law"

<sup>16</sup> Arendt, *Human Condition*

<sup>17</sup> Brown, *States of Injury*

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of the policy of separating families at the border, fathers with young children tend to be released whereas mothers with children tend to be held, one presumes for their own 'protection'.<sup>18</sup> At the same time, immigration and asylum policies tend to target young men, because they are constructed to be dangerous, and are less indiscriminately focused upon women.<sup>19</sup> The second aspect that Agamben does not examine is that the strategies of the state of exception were developed in relation to colonialism since colonies served as the quintessential spaces of endless siege. As such, they played a crucial role in the development and subsequent extension of the biopolitical techniques of modern sovereign power in both European and post-colonial states.<sup>20</sup> In the case of the latter, this prolonged history of rule via the exception has, as our contributors indicate, produced particular vulnerabilities *vis-a-vis* the state which are arguably magnified in the context of unequal global relations. Thus, citizens in post-colonial states firstly have to contend with the necropolitics of heightened sovereign violence in the context of the global extension of the state of exception which relates to the war on terror or other such ratified 'crises' at the international level. In addition, they have to deal with the fact that the sovereignty of post-colonial states is at best of the quasi sort<sup>21</sup>, illustrated, for example, in the imposition of structural adjustment and 'liberalisation' programmes onto these states. The inter-relational development of the phenomenon is also evident in the case of the differential application of the law within settler colonies like the United States and Australia based on a racially based distinction between spaces of siege, like Chicago's inner city and indigenous 'native American' reservations populated by *homines sacri*, and the rest of the country.

This collection illustrates how gendered security logics are woven into the legacies of colonisation through state power and accompanying states of exception. This requires a conceptual pulling apart of the contemporary global (dis)order of 'security' through an analysis of the foundations of this order/(dis)order and its gendered contours. Foucault's governmentality<sup>22</sup> falls short in many respects, namely in terms of a lack of gender analysis as well the missing dimension of resistance and agency.<sup>23</sup> However, he poignantly alerted us to the disguises and normalisation of security logics and the shifting tools and measures of surveillance and violence employed by the modern state. The biopolitics of colonisation and its legacies in the contemporary is where Foucauldian

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<sup>18</sup> Elizabeth Warren's Facebook page, 26 June 2018

<https://www.facebook.com/ElizabethWarren/posts/10155822214623687> , accessed 12 July 2018.

<sup>19</sup> Griffiths, "Here Man is Nothing"

<sup>20</sup> Kohn, Margaret, and Keally McBride. "Colonialism and the State of Exception"; Marcelo and Bignall, *Agamben and colonialism*

<sup>21</sup> Grovogui, *Sovereigns, quasi sovereigns, and Africans*

<sup>22</sup> See: Foucault, *Security, Territory, Population* and Biopolitics

<sup>23</sup> Madhok, "Coloniality, political subjectivation"

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analysis offers much by way of how the social has been utilised as a segue into the shaping of populations for capitalism and control. The nature of the (il)liberal modern postcolonial state in formerly colonised and continually colonised contexts shows that biopolitical strategies and tools (such as population control, labour regimes, and production chains) have been freely used in its operations to securitise and control. A gendered analysis of security logics in post- and neocolonial contexts is therefore imperative in order to critically understand the contours of the derivatives of this history within development discourse (e.g. women's upliftment, 'development', and progress) and political discourse (e.g. intervention, peace-building, 'rights'). Our focus lies precisely at these junctures and involves outlying sites of struggle and resistance against security logics.

To develop a critical understanding of gendered security logics is to recognise the foundations, closures and erasures which have sought and continue to seek the silencing of resistance. These spaces are precisely where struggles over dispossession and oppression are calling for the very frame of security to be questioned.<sup>24</sup> This collection is an attempt towards a reading of security from the margins, cracks and silencing produced by security regimes seeking to craft 'order'. It is this positivist attempt to create order out of what is arguably constructed as disorder (thus in need of controlling, bordering, securitising, etc.) which has plagued the international relations strands of security studies to date. Border controls, counter-terrorism strategies, extra-judicial powers, and a plethora of other practices have been produced out of security logics which are now firmly embedded in the modern (neo)liberal nation-state and global order.

### **Contributions to this Collection**

In their article Young-ju Hoang and Noel O'Sullivan<sup>25</sup> use the heuristic prisms of feminist security studies and the state of exception to analyse the ways in which the gendered South-Korean security-state has been produced. They provide a historical analysis of the institution of a continuous state of exception in relation, on the one hand, to the North Korean threat and to American hegemony on the other. Importantly, they also provide an account of the gendered discourses and practices that informed its particular form which has produced particular insecurities and erasures, limited women's agency and engendered feminist resistance.

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<sup>24</sup> Coleman and Rosenow, "Security (studies)"

<sup>25</sup> Hoang and O'Sullivan, "*Gendered militarization as state of exception*"

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Suhad Daher-Nashif examines a particular manifestation of the state of exception in Palestine: the abduction and freezing of the corpses of women and girls as a matter of policy by the Israeli army.<sup>26</sup> Through an ethnographic study of the cases of three Palestinian women, she demonstrates not only that the Israeli state exerts biopower over the life of Palestinian *homines sacri*, but also necropolitical power over their death. By inquiring further into the rites of passage of these three women, she demonstrates the ways in which these women's bodies and deaths are not only caught in the grip of sovereign colonial power, but also determined by the patriarchal power of their societies.

Jihan Zakarriya's article examines the relationship between sexuality, the security state and militarised cultures.<sup>27</sup> He particularly focuses on three cases of sexual violence in the context of the Arab Spring. Though he does not explicitly employ the concept of the state of exception, his analysis echoes Agamben's critique of sovereignty, in that he shows that the violence these women suffered was constructed and became constitutive of a dominant security state concept in Egypt and Libya. This security state has militarised public spaces, thus legitimating state violence and institutionalising the production of particular vulnerabilities.

Khalid Hassan's article is also concerned with the militarisation of public spaces in conditions of siege<sup>28</sup>. Hassan makes explicit use of Agamben's categories to analyse the state of exception imposed by the Indian state on Kashmir and the resistances it gives birth to. The extended state of exception imposed by India, he argues, has manifested itself in enforced disappearances of Kashmiris and in the foreclosure of public spaces through curfews and the presence and violent intervention of the Indian army. This, Hassan argues, resulted in the eradication of the public - the space of poetry, dance, singing and theatre - while at the same time resulted in new configurations of previously private or sacred spaces as spaces of resistance. These are spaces populated by women as well as men. Thus, their politicisation allowed for women's explicit political agency to manifest itself while the circumstances and violence of the Indian state also forced them into activism. This has taken the form of physical confrontation as well as in the persistent protests and gatherings of the parents of those forcibly disappeared by the Indian army.

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<sup>26</sup> Daher-Nashif, "Suspended Death"

<sup>27</sup> Zakarriya, "Militarised Cultures"

<sup>28</sup> Hassan, "From Administration to Occupation"

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Goldie Osuri's contribution also examines the resistance engendered by the state of exception in Kashmir.<sup>29</sup> In particular, she focuses on the portrayal of The Association of Parents of Disappeared Persons and specifically of Parveena Ahangar in Iffat Fatima's film, *Blood Leaves its Trail*. Osuri argues that the Indian state exercises its territorial sovereignty through the use of necropolitical techniques such as torture, enforced disappearances, and extra-judicial killings which is met by gendered and collective resistance demanding accountability, and thus reframing the concept of sovereignty itself. She contributes to existing critical theorisations of sovereignty by foregrounding the interrelation between vulnerable bodies, gendered resistance and the environment in which demands for self-determination in Kashmir and elsewhere are being voiced.

Kristin Sandvik also analyses the dialectic of resistance and governance.<sup>30</sup> Her contribution takes the violent democracies framework, which has been largely applied to Latin America, as its starting point and, in effect, genders this concept. She does this through an exploration of research on women's political organising and resistance in Colombia, Brazil, Central America and Mexico, and develops a theory of 'the gender of violent pluralism' which reveals the relationship between political organising and gendered violence in this context. In particular, she argues that political organising is a response to gendered violence but that gendered violence, in turn, serves as an obstacle to such organising, which eventually becomes a catalyst for further gender-based violence.

José Olivar's article also focuses on gendered vulnerabilities and resistance within states of exception.<sup>31</sup> He focuses on the ordinary state of exception which is manifested in an undisclosed city in the Amazon. This state of exception has been created, Olivar argues, in the service of the Brazilian colonial project of expropriation and exploitation and it places young women in a frame between 'violent death and biological reproduction'. Instead of just describing the situation at hand and the insecurities it creates, Olivar foregrounds the contest which permeates this particular manifestation of state/colonial power, by accounting for the ways in which young women navigate the state of exception: either resisting or partaking in sexual or other forms of labour.

Rebecca Walker and Treasa Galvin also explore sexual labour from a standpoint which foregrounds women's agency in the context of exceptional/securitised spaces.<sup>32</sup> Their article contends the label 'victim' of human trafficking through an exploration of research among cross-border migrant

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<sup>29</sup> Osuri, "Sovereignty, vulnerability"

<sup>30</sup> Sandvik, "Gendering Violent Pluralism"

<sup>31</sup> Olivar, "Violence, the state and gendered indigenous agency"

<sup>32</sup> Galvin and Walker, "Labels, victims and insecurities"

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women who sell sex in South Africa. Their work effectively shows that the label ignores the complex reality of human mobility. At the same time they demonstrate that this label is also constitutive of state legislative and policy measures which securitise borders, curtail migrant rights, deny the agency of migrant women and finally produce new layers of vulnerability and insecurity these women must negotiate.

Awino Okech's article also utilises the framework of securitisation to explore the infrastructures of violence constructed following the September 2013 terror attack at Westgate in Nairobi.<sup>33</sup> Her article examines the historical circumstances that have led to particular geographical sites and to Somali identities becoming securitised. Through an examination of the fluid security infrastructures developed as a result, she also examines the ways in which security policies mobilise and redefine Somali masculinities as 'other' and dangerous, producing particular vulnerabilities in the process.

### **Agency, Resistance, Possibilities**

We see one of the most significant contributions of the overall collection to be the focus on the paradigm of the state of exception in its dynamic relationship with other related frameworks, including sovereignty, securitisation, and the violent democracies framework, in which contributors have brought into sharp relief the concept of 'security' which permeates disciplinary debates around public space, migration and borders, sex and commodification, intra-state conflict and regimes of democracy which inculcate rather than prevent violence.

At a disciplinary level the focus upon these frameworks highlights the imperative to interrogate the frameworks of both critical and feminist security studies which, in our view, have failed to highlight the emerging contours of exceptional spaces and sites coming out of contemporary governance and international relations paradigms. This collection is responding to this imperative by looking to those states of exception by being attentive to resistances and acts which are exerting and expressing agency on multiple levels and realms, thus transcending the often arbitrary and unhelpful division of security and economy. For instance, technologies such as CCTV and biometric data which are used to control and suspend (i.e. cybersurveillance) are also met by technologies such as the internet which connect, enable and provide forums and mediums for resistance and dissent as cyber-resistance. In turn, however, those technologies used to mobilise resistance are also not free

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<sup>33</sup> Okech, "Boundary anxieties and infrastructures of violence"

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from potential capture by forces seeking to silence, influence, and command, such as in the case of Cambridge Analytica's extraction and manipulation of individual FaceBook data in order to shape the electorate for the 2016 US election.<sup>34</sup> We therefore must be clear in not overstating the case for technological revolution. While technological advances have been significant in allowing for alternatives to be expressed and heard, they are also now the primary sites through which states and militaries operationalise their strategies around surveillance and security.<sup>35</sup> The race to occupy and control the internet, like other sites of 'security,' is a scramble for hegemony over data, discourse, and dissent.

As the contributions to this collection each highlight, traditional approaches to IR and security studies fail to provide the necessary tools or frames for analysis to understand the exclusions and exceptions which now constitute so-called democratic systems upon which ideologies of securitisation are based. To gender this and to transcend arbitrary divisions is to recognise how security logics not only utilise gender as a script for social control, oppression, or stratification for the purposes of categorising 'victims', 'survivors' or 'beneficiaries', but also to identify how security logics themselves are inherently shaped and structured by gendered logics.

Finally, the contributions to this collection put the politics of resistance at the forefront of debates about (in)security. In doing so, they contribute to debates about the desirability of resistance to sovereign power when such resistance cannot escape the logic of power and (in)security. In particular, contributors to this collection show that lives in post and neo-colonial settings are often experienced or deemed as unliveable. As a result, they pose serious questions about the efficacy of the answers to the conundrum of the dialectic of sovereign power and resistance given by Agamben<sup>36</sup> and Zizek<sup>37</sup> who argue, following Melville's *Bartleby*, that we should 'prefer not to' engage in politics either through acquiescence to the law or resistance to it. In examining resistance to security logics empirically rather than only theoretically, our contributors show that resistance is often, for those partaking in it, an act which makes living possible where death is always looming.

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<sup>34</sup> Greenfield, "The Cambridge Analytical Files"

<sup>35</sup> McChesney, *The Digital Disconnect*

<sup>36</sup> Agamben, "Bartleby, or on contingency"

<sup>37</sup> Zizek, "Notes towards a politics of Bartleby"

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