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Postprint / Postprint
Zeitschriftenartikel / journal article

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In solitary, in solidarity
Detainees, hostages and contesting the anti-policy of detention

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ABSTRACT   This article assesses the challenges to a key 'anti-policy' within anti-terrorism: the detention of terror suspects. It analyses the global response to the 2005 kidnapping of a Christian Peacemaker Team in Iraq. Particular focus is given to how detainees in the 'War on Terror' emerged as key spokespeople in the attempt to influence the actions of the kidnappers. So-called 'terror detainees' in the UK and Canada made several appeals for mercy and wrote letters establishing their solidarity with the CPT hostages. Drawing on the political theory of Jacques Rancière, the article analyses examples of detainee or hostage solidarity as acts of political subjectification. Detention is analysed as a site where key political dynamics are enacted. For detainees to articulate a grievance as an equal or enact an international solidarity is a radical political moment that serves to disrupt the routines and normalizations of the anti-policy of detention.

KEYWORDS   *anti-detention, detention, global citizenship, political agency, solidarity, War on Terror*

Introduction

In this issue, William Walters proposes the analytic of 'anti-policy' to describe the proliferation of governmental policies that are framed within a discourse of the 'anti': anti-corruption, anti-trafficking, anti-smuggling, anti-drug, anti-terrorism and so on. These policies, he argues, are usually 'clearer and more passionate about the bad things they oppose … than the principles they actually stand for' (p. 267). While much of the academic scholarship on these issues has focused on the particular substantive social problem (e.g. crime, illegal immigration, terrorism, etc.), Walters suggests that comparatively little research has been done which considers anti-policies as 'programmes of government in their own right' (cf. Hindess, 2005). This article aims to contribute to this emerging literature within governmentality studies by considering on a key 'anti-policy' within anti-terrorism: the detention of terror suspects.

ARTICLE

The focus of the article will be on assessing the challenges to this anti-policy, with the aim of contributing to an ongoing discussion about practices of resistance to the technologies of control, abjection and (ab)normalization (Aradau and van Munster, 2007; Isin and Rygiel, 2007; Moulin and Nyers, 2007). The central question of the article is: how is the particular anti-policy of detention contested and in whose name? The latter dimension of the question ('in whose name?') is especially important to this study. Obviously, there has been no shortage of individuals and groups who have criticized the various excesses of anti-terrorist legislation and policies. Groups concerned with civil liberties, human rights, non-violent conflict resolution and intercultural dialogue have all contributed their voices to criticizing anti-terror policies. Campaigns against detention and deportation have emerged in Europe, North America, Australia and elsewhere (Nyers, 2003; Rodier, 2007). Even politicians and pundits who support the anti-policy of detention worry about how the scandals of the US military-run Abu Ghraib prison in Iraq and Guantanamo Bay detention camp in Cuba undermine America's claim to be a moral leader in world politics. Despite the range of critical voices, the role that detainees play in contesting anti-policy is rarely considered. Therefore, this article takes an unconventional focus and investigates how detainees themselves are enacting resistance, however fragile and provisional, to the anti-policy of detention.

Of the many potential examples of detainee activism, the focus of this study is on the response to the kidnapping in 2005 of four members of the Christian Peacemaker Team (CPT) in Baghdad, Iraq. On 26 November 2005, Briton Norman Kember, Canadians James Loney and Harmeet Singh Sooden and American Tom Fox were kidnapped at gunpoint on the streets of Baghdad after making a solidarity visit to a local Muslim cleric. All were in Iraq as a 'gesture of solidarity' with the Iraqi people. Three days after the abduction, the first video footage of the hostages was aired on the Al Jazeera television network. A previously unknown group, the Swords of Righteousness Brigade, claimed responsibility for the kidnappings and accused the CPT members of spying. The group soon released an ultimatum, demanding the release of Iraqi detainees and the withdrawal of troops, or the hostages would be killed. Deadlines passed; more videos were released, including one with the hostages wearing orange jumpsuits nearly identical to those worn by the detainees at Guantanamo Bay. Eventually, Fox was separated from the others, shot by his kidnappers and his body left on a Baghdad street on 9 March 2006. On 23 March, after 118 days of captivity, Kember, Loney and Sooden were freed by a multinational force, without gunfire and apparently after the kidnappers had abandoned the premises.

The CPT workers were abducted in a context where, since 2004, the kidnapping of Iraqis and foreigners alike has become a regular occurrence in occupied Baghdad. Nonetheless, there was a large and unprecedented

global response to the kidnapping of the CPT members. As the event unfolded, one of the most unexpected developments was how terror detainees held in western countries emerged as key spokespeople in the attempt to influence the actions of the Swords of Righteousness Brigade. Terror detainees in the UK and Canada made televised appeals for 'mercy' and wrote open letters establishing their solidarity with the CPT captives. After the hostages were released, the surviving CPT activists reciprocated with new forms of solidarity of their own making. For example, when called to testify against their accused kidnappers, the surviving hostages refused and offered forgiveness to their captors instead.

What is at stake, politically, in these fragile moments of global solidarity among hostages and detainees, between Muslim terror suspects and Christian peacemakers? This article seeks to draw out the connections between acts of solidarity between terror detainees and hostages. It argues that the events surrounding the CPT kidnapping reveal that, rather than erasing all vestiges of political subjecthood, the anti-policy of detention is a site where some of the core dynamics of politics are enacted and revealed. In the discussion below, it discusses these dynamics in relation to Jacques Rancière's political philosophy. According to Rancière, the political is found in precisely those acts which defy, contest and interrupt conventional understandings of who can act politically. For detainees to articulate a grievance as an equal or enact an international solidarity is a radical political moment that serves to disrupt the routines and normalizations of anti-policies such as detention. The argument of this article is that the field of the 'anti-policy' is, in fact, the site of some quintessential political engagements and enactments. Therefore, what comes to be at stake with detainee politics is the political itself.

Anti-policies: between annihilation and emergence

Despite the moniker, 'anti-policies' are quite proactive in constructing the identities of subjects that they are designed to govern and control. The 'War on Terror' involves a complex array of governmental practices (such as surveillance, detention, deportation and rendition) that aim to separate and differentiate the population in the name of protecting it. These are transnational practices that operate across state lines and involve cooperation and competition among security professionals at the local, national, regional and global levels (Bigo, 2002). In the case of policies of detention, these concern individuals who have been deemed to be so dangerous that they require detention in extraordinary facilities for indefinite periods of time. Detainees are held there on the basis of security legislation, which allows for foreign nationals suspected of posing a threat to national security to be detained indefinitely without trial (Bell, 2006). The anti-policy of detention is designed to deny that there is a possibility for dialogue or interaction between detainees and the community of equals known as citizenship.

Anti-policies operate on the principle that strict lines must separate the subjects and spaces of equality (citizenship) and the exceptional subjects of anti-terrorism (detainees, hostage-takers, etc.).

Anti-policies are designed to remove politics from practices and spaces that are themselves unavoidably political. This leads to some paradoxical results. In the case of the anti-policy of detaining terror suspects, what has emerged is a field of activity which simultaneously bears witness to the annihilation of political agency and the emergence of new forms of agency and global solidarity (cf. Jabri, 2006). On the one hand, there has been widespread documentation by journalists, academics and human rights non-governmental organizations (NGOs) of the systematic restriction and denial of rights among detainees (Cole, 2003), including in some cases the actual unmaking of citizenship (De Genova, 2007; Nyers, 2006). Held in secure facilities, terror detainees are hardly prime candidates to become engaged members of (global) civil society.

On the other hand, the hyper-securitized spaces of the camps in Guantanamo Bay have witnessed an enormous amount of activity that military officials will only refer to as 'non-compliance'. This term can govern almost any kind of activity, but it is invoked most frequently to describe a detainee's refusal to cooperate during an interrogation. More dramatic acts of non-compliance include hunger strikes and suicide attempts. For example, between the period of January 2002 and June 2006, 25 detainees are known to have made 41 suicide attempts, four of which were successful (Center for Constitutional Rights, 2005). These acts are usually portrayed as acts of desperation or escape. This is misleading, as they are possible only through coordinated activity within the camp itself. For example, suicide attempts involving overdoses of sleeping pills, anti-anxiety pills and anti-psychosis medication must involve collective action by detainees: medicines have to be collected discreetly, hoarded and distributed to the people intending suicide. Far from being spontaneous acts of desperation, suicide attempts at the camp require detailed planning and coordinated implementation. The anti-policy of detention seeks to dismiss these acts as invisible, inaudible or incomprehensible to the logic of politics among equals.

Anti-policies such as detention attempt to ward off any political contestation of the legitimacy of their purposes or the efficacy of their practices. In those rare moments when acts of non-compliance become known to the broader public, anti-policy spokespeople will move to disarm the political significance of the act. For example, a detainee at Guantanamo is considered to be on a hunger strike if he misses nine meals – but this is the warden's count, not the detainee's. From the perspective of political agency, this counting has already missed the 'act' of hunger strike, which would have begun days earlier (cf. Isin and Nielsen 2008). In fact, collective acts of protest such as hunger strikes and attempts at mass suicide create a considerable amount of anxiety for anti-policy administrators. At one

point, so confident of their complete control of the camp, camp commanders have become exasperated with the persistence of human agency through hunger strikes and mass suicides. As one commander exclaimed: 'I believe this was not an act of desperation, rather an act of asymmetrical warfare against us' (Freeman and Farahbaksh, 2006: A12). Another official at Guantanamo has admitted, 'The worst case would be to have someone go from zero to hero' (Shepherd, 2006: A14). The assumption of this statement is that the detainee's normal state of affairs is that of nothing, zero, a nobody: someone without value or worth to the social order. The exception to this position is one of infamy, the hero, the agential human being. This is invariably someone with a name and a role, who can make a claim or articulate a grievance from the assumption – if not the legal fact – of equality. Perhaps the doctor who had conducted psychological tests on three detainees prior to their successful suicides on 10 June 2006 gave the most accurate assessment: he concluded that the men showed no signs of being depressed and had killed themselves as a 'political act' (Jacobs, 2006: 24).

If the persistence of collective action for rights and dignity in Guantanamo and other zones of abject incarceration demand that we reflect seriously about what implications these acts have for how we think about global political life, does the same apply to the acts made by hostages? Agency is not expected to emerge from the experience of being kidnapped. In the media discussion of the CPT hostages, for example, the individuals are never referred to as prisoners, but always as hostages or kidnapped, which maintains their position as victims. Not surprisingly, there was a strong media reaction to the audacity of the CPT hostages when they refrained from sufficiently thanking the SAS commandos as their 'liberators' and 'rescuers'. Doug Pritchard, co-director of CPT: 'We said from the outset we didn't want a military raid and we wouldn't work with the military' (Leppard, 2006: 3).

Kember in the UK was the most criticized of the hostages, as it was reported that he did not explicitly thank the soldiers who released him. Upon his return to the UK, much media reporting accused Kember of 'taking unnecessary risks and of endangering the lives of those who were trying to rescue me' (Kember, 2006). These instances emphasize that victims do not always act according to the received script of agent (rescuer) and victim (hostage). This is in contrast to the logic of anti-policies, which dictates a constant reaffirmation of the line separating hostages from kidnappers, victims from rescuers, the law and order of the West and the lawlessness of the kidnappers. Anti-policies dictate that these subject positions must be separated and differentiated.

Anti-policies and the political

How can the political theory of Jacques Rancière help us to make sense of the various enactments and engagements involved in detainee and

hostage solidarity? This article argues that Rancière's relevance comes from three key insights that he has for the study of politics. First, he draws our attention to the aesthetic order that underpins how political relationships are enacted. The quintessential borderlines of politics are also aesthetic borders: the lines that separate the audible from the inaudible, the comprehensible from the incomprehensible and the visible from the invisible. Politics emerges when the distribution of these borders is contested and the inequalities they imply are revealed as arbitrary and unjust. Second, Rancière theorizes equality as a key political concept, but one that must be tested in practice. This article argues that this testing serves to undermine the legitimacy and efficacy of anti-policies. Finally, he provides a radical answer to the question of how to resist anti-policies by arguing that the claims to equality made by subjects (such as detainees) that are outside the community of equals (citizenship) can bring about substantive transformations to the established political order. Taken together, these theorizations allow for a form of political analysis that is a rather refreshing supplement to the literature inspired by Giorgio Agamben (1998, 2005) and his concepts of 'homo sacer' and the 'state of exception'. While detainees would seem to be perfect candidates for the rightless figure of homo sacer, what drives Rancière's philosophy is a concern with how those outside the space of the political nonetheless make rights claims, thereby simultaneously constituting themselves as political subjects *and* effecting a change in the field of the political itself.

The first thing to note about Rancière's political theory is his interest in understanding (and contesting) the ways in which inequality is inscribed in the very way that political communities are assembled and divided. Every political community, he argues, is defined by a certain miscount: only those who contribute some kind of positive quality to the political order are counted. Those without these qualities are excluded from the realm of the common; they are the 'part of no-part', or simply, the 'poor'. By 'poor', Rancière is not referring so much to socio-economic status (although there are obvious historical overlaps), but to people whom the dominant social order considers to be without worth or interest. Terror detainees would most certainly fit the description of the 'part with no part'.

What are the conditions under which it is possible to deny as incomprehensible the voices of the poor, or of the 'part with no part'? Here, it is important to note that Rancière uses the term 'police' to describe what is often normally taken as 'politics'. The mainstream politics of parliaments and bureaucracies, constitutions and representative democracy, elections and voting: these institutions and practices govern our perception of where and what the political can be. However, for Rancière these institutions and practices are not really worthy of the designation 'political'. Rancière names this politics 'policing'. Police is a form of governance of the sensible; it structures what is seen and unseen, allowed and disallowed,

available and unavailable, possible and impossible. The police order establishes norms of what can be said and done, included and excluded from political discourse. In this way, every political order is also an aesthetic order. There is a 'distribution of the sensible' or a 'cartography of the visible, the intelligible and also of the possible' (Rancière, 2006: 5), which defines the political community.

Rancière's conception of 'police order' refers to the organization of the population according to the 'distribution of the sensible'. It is a system that defines ways of living, being and communicating that enact borders between the visible and invisible, audible and inaudible. This is not a police that says 'Stop! You're under arrest.' Rather, it is the kind of police that says, 'Move along. There's nothing to see here.' The police order is not static; it involves the controlled circulation of bodies, practices and performances. The police order serves to smooth over aberrations, preventing them from being perceptible. In this way, the police order is not so much a repressive order but a way of forestalling and warding off the emergence of 'politics'.

The second lesson to draw from Rancière's political theory is his assertion that 'politics' is something that occurs in those moments when subjects articulate grievances about the miscount in equality and demand the righting of this wrong. In this rendition, political equality is identified as central to political life but it is resolutely not some kind of essential quality. Rather, equality is something that constantly needs to be tested in practice; it is an 'assumption that needs to be discerned within the practices of implementing it' (Rancière, 1999: 33). Equality is tested, as it were, by the interjections of subjects who are outside the realm of the common, the community of equals, the space of citizenship. These interventions often involve demands for grievances to be heard and wrongs righted. Crucially, they also involve demands coming from a position of equality, but one that has yet to be accounted for. The radicality of these speech acts come from the way they presuppose that they can be heard and understood by a community of equals. As a result, being reduced to a condition of rightlessness by anti-policies does not negate one's capacity to act as a political subject. Rather, as Isin and Rygiel have argued, 'it is in the very claiming of rights – the rights that one *does not* have – where one enacts one's political existence' (2007: 186; emphasis in original). In this way, spaces of 'abjection' – such as the detention centre, the camp, extraordinary rendition, etc. – are never *only* spaces where people are rendered rightless and therefore invisible, inaudible and inconsequential. Abject spaces are also contested spaces; they are sites where resistance from a position of assumed equality can and does take place. In short, spaces of abjection are spaces of politics (Isin and Rygiel, 2007; cf. Nyers, 2003).

This brings us to the third point about the relevance of Rancière toward understanding the significance of detainee political activism. Rancière's

work raises an unavoidable question: how can one be liberated from the police order? What kind of 'politics' is there which is not policing, but instead undermines the police order? For Rancière, this involves attempting to redistribute what is perceived – that is, what can be seen, said and heard. It means retuning the aesthetic regime to transform background noise (the voices of the marginalized and excluded) into words that can be heard and engaged with from the position and assumption of equality. Such an expansion of the aesthetic order is unlikely to come about through a progressive expansion of the public sphere, as is the hope of some liberals and cosmopolitans. While Rancière emphasizes the role of speaking subjects in enacting political relations, he does not (*contra* Habermas) conceive of politics as a form of interaction based on an explicit or implicit commitment to understanding and consensus. Such a position assumes that all parts are accounted for and can be heard. This ignores the constitutive role that the excluded, the 'part with no part', has in (re)founding the political community. Certainly, consensus is a key means of depoliticization. It allows the population to be accounted for and incorporated into the dominant political order. As a result, political subjectification is abolished and politics is reduced to police.

A process of interruption, of breaking into the police order's 'consensual' system, is a more apt characterization of Rancière's views. Dissensus is the key term here, not consensus. Dissensus is not merely a disagreement of opinion that can be resolved by dialogical or juridical means. It is a key political process whereby those with 'no part' in the social order confront and reassemble the received parameters of thought and action, thereby redistributing the sensible. In this way, dissensus is a synonym for politics. It is the site where claims about the equality of all human beings encounter the hierarchical and uneven distribution of rights and privileges. Politics is a 'field of encounter' between the police and egalitarian logics. While the normalizing forces of the police logic may appear ubiquitous, they are deeply contested and subject to practices of resistance. What these encounters demonstrate is 'the ultimate secret of any social order' – that is, that 'there is no natural principle of domination by one person over another' (Rancière, 1999: 79). Qualities such as visibility and audibility are taken, not granted from above, and this taking is key to understanding new forms of political subjectification (Nyers, 2003). For Rancière, this taking of rights and redistributing the aesthetic order allows for the emergence of something new, a transformation in the political: dissensus involves 'the production, within a determined, sensible world, of a given that is heterogeneous to it' (Rancière, 2004: 226).

To illustrate how Rancière's theory of dissensus and interruption can be mobilized to help us understand the emergence of new subjectivities in the context of the anti-policies of the 'War on Terror', we will turn now to discuss the unexpected interventions made by terror detainees on behalf of the CPT hostages in Iraq.

Unexpected interventions

The November 2005 kidnapping of the CPT members provoked numerous interventions on their behalf. Soon after the kidnappings, the CPT organization released a 'statement of conviction' in which it reaffirmed its commitment to continue its work in Iraq. The CPT also reiterated its position that it 'does not advocate the use of violent force to save lives of its workers should they be kidnapped, held hostage, or caught in the middle of a conflict situation' (*Toronto Star*, 2005). The family members of the hostages also made several televised appeals for the release of their loved ones. Prominent members of (global) civil society took the initiative to intervene in the case. For example, a leading Muslim member of the British anti-war movement flew to Baghdad in early December 2005 in an attempt to negotiate the release of the hostages. Similarly, an envoy from the Canadian Islamic Council travelled to Baghdad to help secure the release of the hostages. Senior Islamic scholars and key figures from the Hamas movement, Hezbollah and the Egypt-based Muslim Brotherhood all called for the release of the CPT workers. This widespread support underscores the credibility of the CPT members in the eyes of much of the Muslim world. The group had opposed the invasion of Iraq from the beginning and had worked hard to expose the endless injustices that became the daily life of Iraqi people, including the events at Abu Ghraib. For example, the statement from prominent Palestinian groups calls for the 'prompt' release of the hostages on the basis of solidarity as equals. The main body of the letter details the kind of direct support that CPT members have given to Palestinians:

> They put themselves in many situations in front of Israeli tanks. They confronted the Israeli bulldozers and the Israeli home demolition and escorted our children to and from their schools to protect them from settlers. (quoted in International Solidarity Movement, 2005)

Kidnappings are rampant in Baghdad, with many of the foreign targets selected apparently indiscriminately: aid workers, peace workers, contractors, etc. However, the kidnapping of the CPT members provoked an extraordinary global response. The support given to the CPT hostages was due in no small part to the credibility that the organization had built over the years. CPT was formed in 1984 as an attempt to pose a 'non-violent alternative to war' as a means for conflict resolution. The organization is part of a broader movement of groups involved in what is increasingly known as third-party non-violent intervention. In addition to CPT, organizations such as Peace Brigades International, Nonviolent Peaceforce and the International Solidarity Movement have been active in non-violent solidarity work. All of these groups are committed to 'open space for marginalized groups to emerge and engage in a conflict nonviolently, thus helping to transform a conflict into one based on participation rather than resignation and fear' (Boothe and Smithey, 2007: 43). The groups are

motivated by a strong sense of international solidarity and their activities are designed to support rather than lead social justice work in situations of conflict. To do so, the groups draw upon a range of tactics in order to meet this goal. Peace Brigades International, for example, primarily engages in 'protective accompaniment', which involves escorting peace, union or human rights activists who are at risk of attack or assassination.

CPT volunteers have been active in the Israeli-occupied Palestinian territories since 1993 and have been present in Colombia and the Democratic Republic of Congo. Members of the organization began going to Iraq to campaign against the impending invasion in autumn 2002, before the start of the US-led war in March 2003. The CPT volunteers in Iraq have been active in documenting abuses in Iraqi prisons, including Abu Ghraib. In addition, volunteers work with Iraqi families to help track down and establish contact with relatives who have been imprisoned. To stand in the way of violence, CPT members utilize a number of tactics, including accompanying people who are threatened by violence and monitoring and documenting events in potentially conflictual situations.

While based on a moral commitment to a common humanity, the work of CPT departs from the principles of humanitarian action that govern many humanitarian NGOs. In the first place, CPT is not content to enact a politics of global solidarity on the basis of mediated viewings of 'distant suffering' (Boltanski, 1999). Indeed, the work of CPT is not governed by a moral geography so typical of many humanitarian NGOs: i.e. 'we' (westerners) must travel to the violence and conflict occurring 'over there' (Middle East, Africa, etc.). CPT has active campaigns in both the US and Canada, mostly in support of aboriginal communities in North Dakota, New York State and Ontario. The organization also eschews the principles of 'neutrality' and 'impartiality', qualities that most humanitarian actors strive to emulate. The idea of a 'ministry of presence' has CPT volunteers living in areas marked by a high degree of conflict. For example, the four CPT members who were kidnapped in November 2005 all lived outside Baghdad's 'Green Zone' in an apartment with Iraqi civilians. Staunch critics of militarism, the CPT activists made a point of refusing entry to diplomats who came with military escorts to visit the CPT office located outside the Green Zone. The CPT is also known for using the tactic of 'interpositioning', which involves physically intervening between two or more parties on the verge of a violent engagement. This tactic often involves intervening in the substantive content of the conflict itself and trying to influence the terms of resolution. Therefore, it is not surprising to find that the motto of the CPT is 'Getting in the Way'.

If the tactics of CPT and other accompaniment groups are critical of the hubris of humanitarian claims to neutrality and impartiality, they nonetheless base their actions of the assumption of certain privileges: most prominently, nationality. Boothe and Smithey explain that 'nonviolent interventionists dissuade parties from harming one another by interjecting

a third party into the situation whom one or both sides have reasons not to harm' (2007: 40). The logic is that the negative costs of harming westerners, especially those that have access to an organized transnational advocacy network that will lobby western governments to place diplomatic and economic pressure, will be too high. As a result, CPT members engage in activities such as physically accompanying a person at risk of assassination, or interjecting themselves into situations where physical confrontations seem imminent. Therefore, accompaniment works on the premise that soldiers, police or paramilitary forces will not attack westerners because the international consequences of such an act would be too costly. This logic was apparently reversed in the case of the American CPT volunteer Tom Fox. While in Iraq, Fox, a former US marine bandsman, used his American military pass to help Palestinians leave Iraq. And yet it was precisely this US citizenship that set Fox apart from his fellow CPTers and likely factored into the decision to single him out for execution. The assumption that citizenship would serve as a shield against the violence of the Iraqi conflict was reversed. Instead of protection, US citizenship offered insecurity, danger and ultimately death (Boothe and Smithey, 2007).

Testing equality

One of the most interesting and unexpected aspects of the kidnapping of the CPT members was how detainees in the 'War on Terror' emerged as key figures in the attempt to influence the actions of the Swords of Righteousness Brigade. Certainly, there were many bases of solidarity between the CPT hostages and the terror detainees. On an individual level, CPT members had been advocates for detainees held in their home countries. More symbolically, when video images of the CPT hostages were aired, they were seen wearing orange jumpsuits that were unmistakably similar to those worn by detainees at Guantanamo Bay. This was a point not lost on Moazzam Begg, a British citizen who was held for three years at Guantanamo: 'When I saw them in orange suits it brought back some terrible memories' (Agence France Presse, 2005).

In Canada, Mahmoud Jaballah, Mohammad Mahjoub and Hassan Almrei, security certificate detainees held at the Kingston Immigration Holding Centre (dubbed 'Guantanamo North'), issued a statement on 5 December 2005 that called for the release of the CPT members. Two days later, Abu Qatada, held at Belmarsh Prison (dubbed the 'UK's Guantanamo Bay') and described by intelligence agencies as Osama bin Laden's 'ambassador in Europe', was allowed to issue a televised appeal for the release of the CPT members. In it, he called upon his Swords of Righteousness Brigade 'brothers' to release the 'four prisoners' as 'a merciful act according to the principles of Islam'. The next day, Moazzam Begg also released an appeal for the hostages' release. Begg found commonality with Qatada in asking for mercy: 'Just like Sheikh Abu Qatada, we also

hope that our words may encourage you to show mercy to these men and let them free' (Agence France Presse, 2005).

There are many ways to interpret the statements and acts of the hostages and detainees in the CPT case. The call for an 'act of mercy' is one that resonates well in both the Muslim and Christian religions. The acts of forgiveness that the CPT members conferred upon their captors could be assessed productively in relation to various ethical debates about the status of forgiveness in our times (Derrida, 2001).

While there are many dimensions to these acts, this article is most interested in assessing them specifically as political acts. What is the status of such communiqués in contemporary politics? How do they effect who can be a legitimate interlocuter in global political debates? What can we learn about politics and anti-policies from the acts of solidarity of the hostages and detainees? What is at stake, politically, with these fragile moments of global solidarity among hostages and detainees, Muslim terror suspects and Christian peacemakers? Do they represent a 'testing' of equality as described by Rancière? There is no formula which can provide a final answer to these questions. However, nonetheless we can discern some important differences in the various communiqués issued by the detainees.

While the calls for mercy issued by Qatada and Begg are significant in their own right, they are speech acts that retain a consistency with important elements of anti-policies. As Arendt (1973) has noted, pity is never an innocent act but always involves a politics. The politics of pity, she argues, is marked by a fundamental inequality. Pity enacts a politics of inequality in that it generates a hierarchical division between the unfortunate and those who do not suffer. As a result, the call to show mercy maintains a relationship of inequality as it reaffirms the power of the kidnappers over their hostages. By contrast, the open letter written by the three men detained under Canadian 'security certificate' legislation articulates its plea for the hostages on the basis of equality and solidarity. It opens up other possibilities for politics, and therefore can be read as a political intervention into the field of anti-policies.

Days after the initial kidnapping, Jaballah, Mahjoub and Almrei wrote an open letter calling for the release of James Loney and the other CPT members in Iraq. The open letter is nothing less than an extraordinary text, distinguished immediately from the calls for mercy that dominated the talk about the hostages' release. The statement from the security certificate detainees not only asks for mercy for the CPT members but also constitutes an act of political subjectification. For example, the letter begins with an act of naming: 'Our names are Mahmoud Jaballah, Mohammad Mahjoub and Hassan Almrei and we have been detained without charge for between four and five and a half years' (Jaballah et al., 2005). Acts of naming are always political acts. Through their performance, these acts assert a claim on who has the status of a speaking being. In itself, to name

is to make a political statement over the right of defining one's own place in a community of equals. It is not surprising, then, that the media found the open letter by the detainees to be suspect and controversial: at stake was legitimate participation in a global debate. By and large, the Canadian media only made passing reference to the detainees' letter, usually in the context of stories about the CPT kidnapping that discussed more 'legitimate' interlocuters, such as family members, civil society groups and so on. At the time of the letter's release, Canadian journalists questioned the motives and speculated on the 'real agenda' of the detainees. Surely it could not be the well-being of Jim Loney: what were the motivations behind releasing this statement? Were they hoping that the letter would help them in bail hearings? Were they attempting to tie their release to Loney's? The level of skepticism was high, as Behrens observed: 'It is unlikely that churches, labour groups, or others calling for CPT's release received such a rough ride from reporters' (2006: 4). From the perspective of Rancière's political theory, the media was policing the bounds of the aesthetic political order which governed who could speak and what could be heard and seen.

The open letter is structured in a way that disrupts the aesthetic policing of who can be regarded as a speaking subject. For example, three paragraphs outlining the life of the detainees under security certificates precede any mention of James Loney or the CPT. In doing so, the detainees articulate their grievances against being held in solitary confinement and reduced to a condition of rightlessness. The text is filled with vocalizations of both the wrongs and injustices done to them:

> We are being held captive under security certificates because the government of Canada alleges we are linked to terrorist organizations and that we pose a threat to the national security of Canada. Allah is witness to our innocence of these allegations. (Jaballah et al., 2005)

The letter goes on:

> We are suffering a great injustice here in Canada because the government stereotypes Muslims and because of our strong faith and daily attendance to mosque. We have been suffering innocently. (Jaballah et al., 2005)

What is so interesting about the open letter is how clearly and forcefully it makes claims about what is just and unjust, right and wrong. These distinctions are enactments of political subjectivity in a way that echoes some of the most classical writings on citizenship. Aristotle, for example, argued that humans are uniquely qualified for political life in large part because of their capacity for speech. Animals, he says, can vocalize pleasure and pain; but only humans draw distinctions between just and unjust, right and wrong, expedient and inexpedient. As we saw earlier, Rancière's political theory attempts to provide an answer to the age-old question of how to distinguish broader grievances about injustice from

the mere expression of private pain. The latter is said to make no claim to others and so remains outside the discourse and space of politics. However, claims about justice and injustice are not only political, but have the effect of challenging the boundaries and definition of the political, of who can speak and what counts as a political speech act. Every political order is marked by a disagreement over the comprehension of political speech. If politics arises when the boundaries separating the visible and the invisible, audible and inaudible, sayable and unsayable are transgressed, effaced or otherwise put into question, then the open letter is certainly political. It accounts for a miscount in the distribution of equality and speaking rights. The letter refocuses what can be seen and retunes what can be heard. In short, the letter redraws the lines of where political subjectivity stops.

Following Rancière, the detainees first had to 'invent the scene upon which spoken words may be audible, in which objects may be visible and individuals themselves may be recognized' (Rancière and Panagia, 2000: 116). It is only after these identifications of wrongs and protestations of innocence that the detainees give thanks to the solidarity and support given to them by people such as James Loney:

> James Loney of the Christian Peacemaker Teams is one of thousands of people who have been fighting to right this wrong. He is a person who has organized and motivated people to participate in this struggle for what is right. (Jaballah et al., 2005)

Like many other appeals to the kidnappers, the letter from the security certificate detainees invokes passages from the Koran to make their point. However, unlike the calls for 'mercy' that Qatada and Begg issued, the passages in the open letter are framed in the language of friendship and solidarity:

> If you love Allah, if you have goodness in your heart, please deal with this matter as righteous Muslims and not let these kind, caring, compassionate and innocent people suffer. Prophet Mohammad, Peace be upon Him, said, 'If you do not thank the people, you do not thank Allah'. The Prophet, Peace be Upon Him, also said, 'If someone did a favour to you, try to return his favour'. (Jaballah et al., 2005)

These statements about giving thanks and returning favours imply that one is already part of a community where giving and receiving can take place. These are not one-way relationships between the giver and receiving. The act of giving is not asymmetrical, but implies that the receiving party may one day be able to 'return the favour'. Hence, the receiver is not a passive recipient but someone active as well, someone capable of agency. While they are held under conditions that strip them of their rights and subjugate them to a position of inequality, the detainees nonetheless speak *as if* they were members of the community of equals.

Conclusions

The anti-policy of detention places significant limitations on the emergence of political agency. We do not expect to hear much from either detainees or hostages. In the case of detainees, their lawyers may speak on their behalf, but their speech is also limited as they are regularly denied – for reasons of 'national security' – access to the evidence used to condemn their clients. At any rate, juridical disputes take place within the police order. To understand the transformative implications of detainee activism, we have to look elsewhere than the legal disputes about detention. The interventions made by terror detainees into the CPT kidnapping case is very revealing of the kind of solidarities that can emerge from the field of anti-policies. The detainees and hostages' act of vocalizing their views about anti-policies into national and international debates has deeply political significance. The acts are not merely interesting because of their novelty, their unexpectedness. They represent an interruption from outside the legitimate speaking order, disrupting our understanding of who can be a political subject and repoliticizing the field of anti-policies.

Hannah Arendt (1968) has taught us that human rights are by and large meaningless unless people have the ability to constitute themselves as political beings. Spaces of detention are designed precisely to prevent people from engaging in a process of political subjectification. When humans are denied the 'right to have rights', not only notions of freedom, equality and justice are at stake, but something more fundamental is involved: the right to be political itself. When one enacts 'rights that one does not have', one constitutes oneself as a political subject; or, as Rancière explains, 'these rights are theirs when they can do something with them to construct a dissensus against the denial of rights they suffer' (2004: 304).

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