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DISASTER AS A PLACE OF MORALITY: THE SOVEREIGN, THE HUMANITARIAN, AND THE TERRORIST

Adi Ophir

The Social Existence of the Moral

Imagine morality as a domain or a social sphere with stakes, concerns, and interests of its own. The stakes would be the distress, humiliation, suffering, and, more generally, the mal-being of others, the concern would be how to reduce them, and the interest — the wellbeing of others. Interest and concerns do not necessarily express inner motivation, but the logic of a specific field of action, whose raison d'être is the ongoing presence of others in distress, their unbearable suffering and humiliation, and the obligation to reduce their mal-being. The pursuit of ideals or regulative ideas like liberty, justice, and equality would be judged according to their contribution to and impact upon the mal-being of all men and women, or even of all sentient beings. "Moral values" would be nothing but discursive devices employed by teachers, parents, or politicians in attempts to regulate behavior, and their value would be evaluated in the same vein. Indifference to the suffering of sentient beings would demarcate the moral domain from the outside, in the same way that indifference to error, deception, and illusion

demarcates the limits of science, and indifference to appearances marks the limits of the visual arts. By crossing the threshold of such indifference, one can be "within the moral" without necessarily behaving morally or being correct in one's moral judgments, in the same way that one can be within "the game of truth" and still hold false ideas and incredulous beliefs.[1]

Like other spheres of social action, morality would also come accompanied with its own investors, experts, entrepreneurs, and connoisseurs: people who refine their concern in the mal-being of others, and sometimes make this concern into their profession. Professionalization would relate to a variety of power/knowledge apparatuses and discursive and non-discursive practices that express, evaluate, and take care of the mal-being of others. Morality would even have its own particular sites, the spatially demarcated and architecturally designed places in which moral stakes and interests are most intensely articulated, institutionally embodied, and systematically pursued. Much like museums and galleries (places of art), laboratories (places of scientific knowledge), or courts of justice (place of law),[2] moral places would be sites in which the mal-being of others would be put on display in order to generate moral interests, and where moral interests would put into action a whole machinery of care and relief, material and spiritual giving, and political struggle.

This is not a common way to speak about moral matters in societies that still conceive of themselves as Western. The Kantian notion of an autonomous moral judgment has not been embodied in a relatively autonomous social sphere. For complex historical reasons, a few of which can be adumbrated here, the modern constitution of morality as a demarcated "social field" (in Bourdieu's sense) alongside politics, religion, science, or the arts, has never been achieved, let alone even tried in earnest. First, during the nineteenth and early twentieth century, the moral drive of radical left politics and the moral pathos of critical theory were thoroughly politicized and absorbed into revolutionary projects of all kinds. Most of whatever elements of these survived the demise of socialism as a viable political option have been absorbed into the liber-

al, quasi-legal discourse of rights. Furthermore, on the right, moral claims have long been associated with and grounded in religion and nationalism. Here the demise of socialism has resulted in the ascendancy of an economistic, neo-liberal ideology that has quickly become indifferent to moral issues; where moral discourse is involved, it draws upon and is restricted to what has been made possible by a certain mixture of religion and nationalism.

Second, and at the same time, the professionalization of care has become in the last decades an indispensable part of the entire web of bio-political apparatuses; and wherever the state has retreated, the logic of the market reigns. Experts in "applied ethics" are sometimes invited to solve "moral dilemmas" whose regulation does not follow swiftly from the rules of state bureaucracy or of the caring profession, but this new expertise merely reflects the subordination of morality to the general departmentalization and bureaucratization of society. The concern for the mal-being of others and the interest in their wellbeing has been mostly medicalized. When it is still (or once again) politicized, it is usually politics that dictates the limits and focus of the moral concern and not the other way around. Between medicine and politics, a bourgeois or nouveau riche philanthropy has been mostly concerned with the affluent giving self, not with the misery of the suffering other.

Finally, and on a different level, the main stakes in moral affairs have been very different from the mal-being of others. They have been mostly associated with two distinct domains: a religious domain, where moralizing precedes and often suppresses moral judgment, and in which proper, i.e., marital and monogamous, sexuality and reproduction constitute the main stakes and have become once again the scene of Man's most frequent sins; and a legal domain, where moral judgment and even the worst kinds of moral scandal have been articulated in the language of rights, and where violation or deprivation of these rights is what lies mainly at stake.[3] These two different kinds of moral concerns have produced a plethora of obligations[4] and permeated the entire social space, and have been easily absorbed into politics, religion, or the economy. Although they often contradict and struggle against each

other, they work together to exclude or trivialize other types of moral concern (mainly concern for one's own virtues and for others' mal-being), and, enforced by the market, they have colonized the specific sites in which such concerns are embedded.

True moral concerns are hard to discern anyway, but the rhetoric through which they are expressed is still widespread and easily recognizable. Moral justification is too often a rhetorical means by which professionals and bureaucrats fill in gaps in their discourse and escape the impasses of their own reasoning. Moral rhetoric also fills the media and the political atmosphere, serving as a more or less conspicuous ideological façade for no less conspicuous political interests. Recently a whole new domain of economic activity that charges itself with "social responsibility" has been associated with moral discourse, and moral concerns are supposed to redirect the conduct of the economic firm, its directors, trustees and share holders. The social and discursive functions of this rhetoric notwithstanding, its claims, when isolated and then considered for their validity alone, are always grasped with suspicion. It seems that no one believes that a discourse of morality can arrive as itself, and when a moral voice does come forward, no one believes what it says or trusts what it demands. In other words, it seems that almost "everyone will readily agree that we are usually duped by morality," as if that question of the "highest importance," which was still open to Levinas' readers in 1961, has been decided.[5] Today, when moral claims are everywhere suspected, and no one wants to be duped, it seems that what is of the highest importance is not to know the answer, as Levinas implied, but to reopen the question itself, i.e., to entertain the possibility that we are not always duped by morality.

Is morality only a matter of hypocritical — or noble — duping? Whereas the idea presented above of morality as a more or less autonomous social field could seem dubiously utopian, the all too realistic description that follows this presentation may sound reductionist, or at least overstated. This sketchy survey is problematic not because of the cultural phenomena and social processes it fails to mention, but because it eliminates the very possibility of

even residual moral interests and concerns that do not express a "deeper" reality, which, when properly deciphered, would present them as different to themselves.[6] Speaking phenomenologically, "moral *intentionality*" — which would include concern and interest — is precisely what remains intact after other concerns with self and other are subtracted or bracketed. The proper object of this kind of intentionality is a faceless other, whose identity, status, gender, color, and/or faith are relevant only insofar as they explain his or her misery, risks, and chances to be saved. The limit of this kind of intentionality is precisely the moment in which the social markers of the other subtract attention from her misery and put limits on what one is willing to give.

It is not by mere chance that the gift, the acts of giving and forgiving, reception, hospitality and responsibility (understood as response-ability) have gained such prominence in the recent moral thinking of Levinas, Derrida, and their followers. For these are specific modes of speech, social practices, gestures, and attitudes in which it is possible to show phenomenologically the persistence of a residual moral intentionality. More precisely, it is with respect to these modules of discourse and practice that deconstruction is capable of displaying the irreducible, pre-intentional conditions of such an intentionality, which would resist deconstruction itself,[7] let alone politicization, psychologization, or any other form of "realist" reduction. Note, however, that it is not the much discussed paradoxical nature of gestures like giving and forgiving that should concern us here; it is rather their power to force the realist to acknowledge the persistence of the moral, the irreducible residue of moral concerns, or, at the very least, their potentiality, which accompanies every kind of social practice and may appear everywhere, anytime.

In between the autonomy of a coherent moral sphere and the systematic reduction of moral concerns and interests, a more accurate understanding of morality should respect the residual presence of moral concerns and the irreducible potentiality of other concerns to become moral, i.e., to bracket other interests so as to give or receive incalculably, to spend one's self away for the benefit of suffering others, to invest one's self in others, for those others' sake.

The point of this residual concern and irreducible potentiality is not the other as such, for despite a certain interpretation of Levinas, there is nothing particularly morally compelling about the alterity of the other. What makes the other morally interesting, and of moral interest, are her mal-being and the prospect of reducing her suffering. I come back, then, to where I started, defining as moral an irreducible interest in the mal-being of others and identifying indifference to suffering as the threshold of morality, only without assuming an autonomous social field of moral actions (leaving as an open question the very possibility and moral desirability of such a field). I have come to this understanding neither through utopian discourse, nor even through the ethical turn of deconstruction (whose great contribution to moral theory I readily admit),[8] but through phenomenological as well as sociological and historical observations of the way people cope with the mal-being of others. These observations, informed as they are by the theory of morals to which I alluded above,[9] convincingly show that despite the lack of a coherent social field, a potential recourse to the moral inheres as a parasite in every sphere of social action, hovering like a ghost over each of them. Nonetheless, moral concerns do have some discernable places of their own and such places are specifically modern, in accordance with the modern differentiation of morality as a distinct kind of judgment. In these places of morality, moral concerns define the logic of social action, and moral interests are derived not only from dissimulated political and economic interests but from *sui generis* moral stakes — the mal-being of others.

Technologies of Disaster

I would like to make good on my claims through a brief examination of one of the more conspicuous sites where morality takes place — the site of large-scale disaster. Disaster, it has often been claimed, can serve as a laboratory for all kinds of social structures and processes, from the very existence of political order down to minute practices.[10] This statement of course requires much qualification, but in the case of morality, at least as it is understood

here, it seems to be plainly true: Even if everything that follows it
has been expected, a large-scale disaster suddenly creates a sharp
increase in the number of people in need of immediate help and
care, to the extent of both their needs, and the presence of their suf-
fering. If morality does indeed constitute a logic of action irre-
ducible to both the interests of and constraints upon political
power and economic actors, and to the pleasure compassionate
individuals take in caring for others, a disaster stricken zone gives
it ample opportunity to appear, and to distinguish itself from the
logics belonging to these other actors. In the last few decades this
distinctly moral logic of action has not only been discernable, but
has been embedded in separate organizational frameworks that,
despite their close relations with the state and the market, nonethe-
less struggle to dissociate themselves from both, often competing
with them and deflecting their course of action according to the
moral stakes involved. The organizations I have in mind are non-
governmental humanitarian organizations, especially those that act
globally, "without borders."

Humanitarian organizations take part in a larger field of res-
cue and relief operations, of which the state has recently become
the main actor, and it is in this field that their particular moral con-
cern should be distinguished and examined. The field itself is quite
modern. One of the hallmarks of late modernity, albeit one that has
been largely neglected by theory, is the emergence, development,
and institutionalization of a more-or-less distinct formation of
power/knowledge that specializes in rescue and relief technologies
and enables modern societies to cope with large-scale disasters.
These include hygiene expertise, emergency medicine, means of
rapid transport for personnel, equipment and victims, and capaci-
ties for coordinating activities on both technical, bureaucratic, and
geo-political levels. Although the genealogy of "technologies of dis-
aster" (TD) extends back to the late medieval plague-stricken city
and the early modern responses to earthquakes, it is the first fire
departments and ambulances of the nineteenth century that serve as
their model, combining mobility, an interest in events of a special
kind, in the site created by those events, and the capacity to oper-

ate in changing circumstances, regardless of changes to those cir-
cumstances. Unlike other biopolitical technologies, on which they
rely and with which they are integrated, TD address a specific prob-
lem, a potential event, but not an existing population, confined
within a city, a region or an institution; the event and its effects, not
a social institution or a political strategy, constitute their target pop-
ulation. And like other disciplinary experts, TD experts are also pro-
fessional organizers and managers of space, but this space — the
site of disaster — is allocated to them by the event and when
"given" to them constrains their action in always unexpected ways.

These sophisticated, rapidly improving TD have gradually
become a state apparatus in their own right. Since the beginning of
the twentieth century, at least, modern "strong" states have acquired
such apparatuses and have assumed political, legal, and adminis-
trative responsibility for rescue and relief operations in times of
large-scale disasters, "natural" as well as "political."[11] One should
consider this development in the context of modern governmental-
ity, especially the administration of risks within the governed popu-
lation and the assurance of a minimum standard of welfare, which
have become standard tasks of modern governments. Being an effi-
cient, and, in times of emergency, most needed apparatus, strong
states also use TD outside their borders. Relief operations have
become an inevitable element of international relations. They take
significant part in postcolonial interventions and add a moral flavor
to the legitimization of the state's role on the global scene and of the
market forces which it usually lets loose, but may always restrain
and mobilize in times of emergency for the sake of a moral cause.

Notwithstanding the highly advanced TD owned and con-
trolled by the state, many other players act in the field of rescue
and relief. In fact, it was a non-governmental organization — the
Red Cross — that first set the standards and invented the scheme
that was later adopted and nationalized by Western governments.[12]
Today this is one of the most popular fields of NGOs' activity,
where citizens take part in national matters and international rela-
tions without paying much regard to state authorities and govern-
mental policies. They do so because, whether they are experts or

amateurs, salaried workers or volunteers, they are involved in humanitarian operations where they may act out of many, conflicting motivations but according to a more or less recognized set of humanitarian principles. In many Western societies they have become the most conspicuous moral players, who only recently have gained a demarcated place of their own — the space of and around the disaster site.

Of even greater significance is the fact that the state's rescue and relief apparatus cannot but adopt, however partially and distortedly, the logic of care inscribed in the TD and exemplified in the practices of humanitarian organizations. Even when the state betrays humanitarian principles by abusing its TD, it cannot ignore them altogether. When a donor state uses its TD in foreign countries for political and ideological purposes, it must respect, or at least pretend to be respecting the modus operandi, terms of reference, and normative standards of the humanitarian apparatus. When governmental TD differentiate forms and kinds of lives, they explicitly put external limits on the humanitarian operation, abusing the instruments at their disposal and exposing themselves to criticism and indignation. Even if TD are treated like any other apparatus of power, and disasters are conceived as external events to be mastered and manipulated for one's benefit, those benefits come, at least in part, by playing by the rules — the moral rules in this case. When a government invests in the stock market, risk analysis becomes part of political reasoning; this is precisely what happens to humanitarian considerations when a government invests in the aid industry — they become part of the raison d'état.

The recent failure of the American rescue and relief agencies in saving the poor of Louisiana demonstrates this very clearly. On the eve of the catastrophe and during its first days, governmental agencies acted according to well-established patterns of governmental action in the United States: They provided safety nets for the rich and forsook the poor. This kind of policy is acceptable as long as success and failure are ascribed, on the one hand, to individuals' gifts and commitments, and, on the other, to the blind forces of the market. But when it comes to the blind forces of nature, for-

saking the weak seems entirely unacceptable. Why? Because cata-
strophes, like wars, transform the arena of governmental action and
responsibility. They are the business of the political sovereign, its
most significant sphere of action, and the realm where sovereignty
is established, tested and contested — and where it sometimes
meets its end.

If political sovereignty is the power, granted by a juridical
order, of proclaiming an exception to this order and declaring a
state of emergency, as Carl Schmitt said,[13] and if the state of excep-
tion proclaimed by a sovereign is a moment at which life is aban-
doned and forsaken by the law and exposed to violence that the
law does not punish, as Giorgio Agamben explains,[14] then large-
scale disasters challenge the very principle of sovereignty. An
emergency and a state of exception are created without being pro-
claimed by a sovereign, life is forsaken, and violent forces, natural
as well as social, roam about foot-loose, paying no heed to the sov-
ereign's claim of having sole authority over life and death. In times
of large-scale disasters, it is neither the market's nor God's invisible
hand but the sovereign's hand that is expected (since the turn of the
twentieth century, at least) to distribute risks, redistribute losses,
and administer the disaster. In times of disaster, the very existence
of a sophisticated rescue state apparatus means that responsibility
for the fate of the poor rests neither upon them nor their God, but
upon the efficiency of this same apparatus. And this efficiency is
always already a moral matter.

The existence of such an apparatus is a privilege and sign of
strong states. It functions as an integral part of bio-politics at large,
and the occurrence of disasters as events to be predicted, avoided,
and, if unavoidable, alleviated, is not only the objective of bio-
political mechanisms, but also an opportunity for their expansion,
and for the strengthening of their grip upon the governed popula-
tion. In strong states, large-scale disasters inevitably lead to a rapid
augmentation of the deployment, activity, visible presence, and
latent capacities of bio-political apparatuses, as the attack of
September 11th and the more recent terror attacks in Madrid and
London have clearly demonstrated. Moreover, in a global world,

where the "roots of evil" and agents of disaster cannot be con-
tained within the boundaries of the nation-state, governmentally-
controlled TD have been integrated into growing global bio-politi-
cal networks whose task is, on the one hand, the surveillance and
capture of dangerous individuals — carriers of illegal drugs,
bombs, or viruses — and, on the other hand, the monitoring of the
situation of populations in danger. Of the many outcomes of these
new bio-political mechanisms, two should be singled out in the
context of our discussion: Strong states and international agencies
can now mobilize an efficient rescue apparatus for the sake of
endangered populations of weak states, which are usually more
exposed to natural and political catastrophes and much less
equipped to cope with them; and, at the same time, strong states
are more interested in and more capable of the surveillance of cit-
izens of weak states, and of those who find shelter there, because
they are conceived as dangerous individuals, in fact as agents dis-
seminating disaster: terrorists.

Coming to the rescue of endangered populations before, dur-
ing, and in the wake of large-scale disasters is a highly contested
matter within the international arena. Even if no conscious politi-
cal cynicism were involved, the moral cause would be thoroughly
politicized due to the very presence of governments, as major play-
ers whose actions and inactions have great impact on the mal-
being of many. Moreover, in a globalized world, the agencies that
coordinate rescue and aid operations (mostly the Red Cross and
UN agencies) lack sovereignty, while the power that comes closest
to acting as a *global* sovereign — the US administration — is usu-
ally not interested in any coordinating effort. In globalized disaster,
the tension between pragmatic, political/economic reasoning and
moral reasoning (which in times of disaster and when the sovereign
acts within its own state, must be concealed or overcome) becomes
manifest and shameless. But this tension is not a matter of an impo-
tent "beautiful soul" facing the cynicism of power; it is rather the
expression of rivalry and competition between state power and
empowered groups of citizens, quite well-equipped for their task,
that act outside the realm and logic of the state. The very presence

of a powerful apparatus of TD that embodies a clear "moral inter-
est" makes possible the transformation of a moral claim into a
political power. Whereas the presence of governments at the site of
disaster politicizes a moral cause, the presence of humanitarian
organizations on the international arena moralizes a political
cause. It is here that the difference between humanitarian and
political considerations becomes an overt contradiction. Non-gov-
ernmental humanitarian groups that think and act globally run a
course that sooner or later is doomed to oppose that of govern-
mental rescue and aid apparatuses. The contradiction is structural
and it rests on two opposing claims to the state of emergency and
the exception to the rule. For the sovereign, declaring an emer-
gency and suspending the law is a moment of self-constitution; for
the humanitarian it is a moment in which the fate of the other
becomes constitutive for the activity and attitude of the self.

The Terrorist and the Humanitarian

In the background of this binary relation, the ghost of a third
party is already hovering, waiting for our consideration. We have
already encountered him in passing: the terrorist. He too takes a
stand regarding the state of emergency — he seeks to bring it about
or force it upon the sovereign. Whatever his political motives (and
they may vary in ways that lead some people to make distinctions
according to the nature of the terrorist's cause, but we must insist
here on the similarities of tactics and practices), he is as much
indifferent to the law of the sovereign as he is to the moral concern
of the humanitarian. When he acts, he is a rival to both. And
indeed, in this triangle of relations to the state of emergency, every
position, when thought in the abstract and according to its basic
principles, negates the two others. Thus, for the humanitarian it
does not really matter what is the political cause and origin of a
state of emergency. Whether emergency has been declared by a
disastrous sovereign or by a sovereign reacting to natural disaster
or to acts of terror, the humanitarian is concerned with bringing
rescue and relief to the survivors regardless of the political consid-

erations of both sovereign and terrorists. Not surprisingly, from the sovereign's point of view, the challenge posed by foreign humanitarian activists is not altogether different from that posed by the terrorists. And it is not unrelated either. Facing the threat of terror (imaginary or exaggerated as it may be), the sovereign nation-state is ready to suspend the law together along with the humanitarian apparatus that works on its margins, and at the same time it provides this apparatus with ample new sites and reasons to re-deploy itself (the US in Afghanistan and in Iraq, Russia in Chechnya, Israel in the Occupied Palestinian Territories). The humanitarian organizations, in turn, are often ready to suspend their condemnation of terrorism, which has become a cliché in the public discourse of the liberal states; they are ready to extend their work to populations that support, or at least tolerate, the new form of terrorism as long as their neutrality is recognized and their immunity respected.

However, these causal links are quite contingent; the true affinity, perhaps even the common ground, between the terrorist and the humanitarian is not causal but structural, at least where the new form of globalized, international terrorism is concerned. The structural similarities between these two phenomena are striking (and embarrassing). Let us mention them briefly: transnational networks lacking a center (or having a center that is contingent and temporary); exemplary models of voluntary, heroic action that are quickly reproduced and distributed across the globe, breeding imitators and enjoying the admiration of large audiences that are not directly involved in the context where the model of action originated; the sacrifice and expenditure of resources taken out of regular cycles of commercial and political exchange for the sake of a goal that is portrayed as higher than the usual goals of everyday political or economic action; nomad practices and mobility that make it possible to land and sojourn for both short and long periods anywhere around the globe, combined with an in-depth interest in a particular locality, carefully designated and meticulously studied; a special interest in "bare life" (to use Agamben's term) and a more or less systematic tendency to de-politicize the victims' bodies; a certain changing balance between spectacular and clandestine aspects

of the operation; a certain indifference — in theory, if not always in practice — to the territorial and symbolic borders of the nation-state; and finally, the use of both religious discourse, which is not peculiar to terrorists, and even traditional philanthropic practices and organizations associated with religious institutions.

Let's take a closer look at these similarities and use them to better understand the place of global humanitarianism in the liberal nation-state and its relation to the political sovereign. Terrorists and humanitarian activists alike are interested in bare life, but in opposite ways. The humanitarian does not make explicit distinctions of skin color, race, ethnicity, or religion in his rhetoric, and when critics point out such distinctions in practice, he would tend to reform his language and practices, or at least seek excuses. In his own rhetoric, on the other hand, the terrorist makes an explicit, though not necessarily very subtle, distinction between friend and enemy. But in actual practice, the terrorist's enemy is analogous to the humanitarian's disaster: It designates an area, geographic and imaginary at the same time (America and its allies; Jews and their friends; the government and its collaborators), and targets anyone who happens to be within it. Recent attacks on locales of tourism (e.g., in Mombasa, Kenya; Kusadasi, Turkey; or Taba and Sharam el Sheich in the Sinai peninsula) demonstrate this clearly. Once a disaster site is targeted, the humanitarian works to save life, no matter whose — the only question (in principle) is where life is being forsaken; once the enemy is declared, the terrorist's aim is death, it matters little whose — the main question is where lives can be more effectively and easily taken. This difference between killing or forsaking life and bringing succor to forsaken life cannot be gainsaid.

Between the terrorist and the sovereign, there is a gray area inhabited by terrorist organizations seeking to establish a sovereign state and state terrorism that seeks to suppress dissenting movements. Between the humanitarian and the sovereign, there is a gray area inhabited by governmental and semi-governmental humanitarian organizations using TD under the auspices of the sovereign and alongside other state apparatuses. But between the terrorist and the humanitarian there is a gap, a void, which, despite all structur-

al analogies, no existing practice can fill. Of course, some terrorist, or so-called terrorist, organizations operate philanthropic institutions, but this is accidental to their terrorist tactics; they do so because they are also political organizations that care for a particular population. There may even be — though this is certainly rare — some humanitarians who have adopted terrorist practices or lend their support to terrorist activity but from the humanitarian point of view such an activity, if it exists at all, is entirely accidental.

A Challenge to Sovereignty

In the postmodern arenas of large-scale disasters, contemporary refugee camps, and the rapidly multiplying scenes of international terrorism, there appear in fact to be three related processes by which sovereignty is deconstructed: T he monolithic, unified and coherent concept of sovereignty is undermined by the very multiplicity of agents that negotiate, compete, and fight over different types of exception-making; a lacuna erupts at the heart of the usually ubiquitous mechanisms of bio-power, which seem helpless precisely at the moment when they are most needed; and the territorial boundaries that spatially delimit sovereignty are constantly transgressed by streams of people, goods, and information flowing into and out of the disaster zone. But these processes could not take place without both the discourse and practice of humanitarianism, and the disarray, anxiety and death spread by terrorism. Indeed, both terrorism and humanitarianism need the active cooperation and mediation of electronic and print media, but the dreadful images and horrific stories would not make any difference without the new possibilities of action that have opened in these two opposite directions.

The terrorist and the humanitarian face the sovereign from opposite positions. They resemble one another in certain crucial aspects of their activity; their difference lies in the *direction* (and sense) of this activity, in its explicit goals and immediate effects. They both compete with the sovereign itself, never with each other, over the sovereign exception, the right and authority to forsake life,

and the proper way of dealing with forsaken life. The two signify the opposite directions that the bio-political apparatus of the modern state can take. On the one hand, there are moral technologies for the administration of disasters, whose internal dynamic involves movement from the response to a catastrophic event and its consequences to an attempt to deal with the political conditions that make it possible and amplify its impact. On the other hand, there are disastrous technologies for the administration of life, whose inner dynamic entails movement from response to disaster to the systematic production of disastrous conditions. Between the two there are different areas of congruence, and a considerable element of mutual imitation. In response to terrorist acts the state imitates the terrorists, who, in turn, imitate the state; in response to large-scale disasters the state imitates humanitarians, who, in turn often try to imitate and adopt practices of a state apparatus.

Somewhere between the terrorist and the humanitarian, forsaken life imposes itself and demands a new definition of the relation between political rights and their exception, and between the juridical order and its suspension — or extension. It won't suffice to recognize the refugee as an abandoned body and forsaken life, which "only as such is . . . made into the object of aid and protection" (*HS*, 133). Nor will it suffice to recognize the citizen as a body and locus of life that should be well-administered in order to be protected from the unbearable randomness and cruelty of terrorist violence. The state of total abandonment that accompanies large-scale disasters, like the state of emergency imposed by terrorist attacks, and the state of total security sought after such attacks, provide ample opportunities for bio-power to extend and deepen its infiltration and colonization of the life-world and give it, moreover, new legitimacy.

These extreme situations, which can no longer be considered exceptional, also challenge the sovereign by undermining its monopoly over the authority and power to suspend the law, make exceptions, and forsake life. At the same time, the accelerated intrusion of power into the daily life-world of the governed, which is justified by the need "to fight terrorism," is not simply or merely the

effect of sovereign decisions; it is also, at the same time, a reaffir-
mation of the threat to this sovereignty, which continues to crop up
behind the backs of the policemen, security agents, guards, and
gate-keepers. The reach of this threat is as wide as the entire secu-
rity network; the threat is present wherever sovereign power is pre-
sent. It is not only the borders of the nation-state that are being
called into question here but also, and perhaps mainly, its totalizing
claim to the administration of life. What is being called into ques-
tion is the authority of the sovereign to be the sole legitimate source
of the decision to declare who should be abandoned, whose life
can be forsaken, and which exception is the proper one. New rela-
tions between power and life are currently inscribed at the two ends
of the spectrum through the two major, opposing forms of sacrifice
and transgression in contemporary culture. The question ultimately
concerns the authority of the sovereign to bring under its jurisdic-
tion — precisely by suspending the juridical order — anything that
lives and whatever relates to the living, leaving no residue.

It should be noted that even in cases in which a functioning
humanitarian non-governmental apparatus is absent, the mere
existence elsewhere — even the mere feasibility — of effective TD
(whose mobility becomes crucial now) turns life ruined by disaster
or inside the refugee camp into a challenge to sovereign power. The
embodiment of the moral imperative — to save as many lives as
possible, to limit suffering and loss as much as possible — in con-
crete TD transforms every disaster, every refugee camp, anywhere
on the globe, into a scene of confrontation and cooperation, and in
any case of distinction, between the moral and the political. The
same is true in the opposite direction for terrorism: Even when an
active terrorist infrastructure is lacking, the mere existence — even
the mere feasibility — of disastrous terrorist activity turns "well-
administered life" in the nation-state into life at imminent risk,
about to be forsaken at any moment, anywhere; this potential for-
saking of life, which does not originate with the sovereign, is nec-
essarily conceived as a threat to the sovereign nation-state, to any
sovereign state around the globe. The moral, religious, or quasi-
religious imperative embodied in the terrorist's deadly *mode of*

action (for it is neither an apparatus nor a social institution) trans-forms any site within the social space into a possible scene of con-frontation, tacit cooperation, and certainly of differentiation, between the anarchist element inherent in the ideology of terrorism and the raison d'état.

Humanitarian organizations widen the gap between the rights of Man and the rights of the citizen, perhaps contributing to the exclusion of their clients from the public sphere of the liberal state and to the silencing of their voice (*HS,* 131-133).[15] But in so doing, they are not simply taking part in the de-politicization of disaster (as their critics rightly claim, though this is not always or necessarily the case) — they are also placing the moral claim above and prior to the political or social bond, and are ready to fol-low up this claim, even when it transgresses the limits of the social bond. Terrorism, in turn, also widens the gap between Man and cit-izen through the reaction it provokes from state power (closer sur-veillance of strangers; stricter forms of separation between citizens and aliens; suspected persons more easily deprived of their rights, etc.). Wherever it is sensed as imminent, the threat of terror also tends to silence, or at least to flatten, political discourse. But it does something else aside from contributing to the augmentation of the state and its bio-political apparatus. Terrorism de-politicizes power by confronting us with an absolute enemy that is said to unite us all, and is portrayed as an extra-territorial element — a force that transcends the political sphere and must be opposed, for its nega-tion is a condition for the very existence of the social bond.

The de-politicization of the humanitarian claim, just like the similar exclusion of the terrorist claim, may be in the short-term interest of both the sovereign and its two rivals. The humanitarians hope to gain better access to the places and victims of disaster by presenting the humanitarian space as apolitical; the terrorists seek to present a radical alternative to the political and avoid any kind of negotiation with the sovereign power. Power itself benefits from the de-politicization of disaster, for this enables it to deny its responsibility for the conditions that make it possible. Power also benefits from the de-politicization of terrorism, for this enables it to

avoid coming to terms with the terrorists' demands and claims, their motivations, and the conditions that sustain them. In both cases, the primacy of the apolitical principle guiding both humanitarianism and terrorism may serve as a means of de-politicization, which helps to conceal and reproduce the bio-political foundation of modern sovereignty, strengthens state power, and diminishes the universalist dimension of citizenship. But in both cases, what's at stake is the suspension — inevitably temporary — of the imminent political challenge posed by the sovereign's two rivals.

The terrorist's act impairs the state's capacity to administer its citizens' lives, but this is often merely a means towards an ultimate goal: the destruction of the state and the establishment of a radically different political order in its place. The humanitarian seeks, in principle if not always in practice, to subjugate the bio-political apparatuses to the imperative of caring for others in distress. Implied in this claim — in principle, even if the implication is often debated and sometimes denied in the humanitarian discourse — is a further demand for the inevitably political transformation of the disastrous conditions themselves. This includes the elimination of the permanent state of emergency and the restoration of a civic dimension to the life-world of the stricken population. International terrorism kills and forsakes life in order to undermine the very possibility of citizenship within the existing political order, holding life itself in suspense until the coming of a radically new form of political bond. Global humanitarianism, at least certain voices within it, speaks in the name of the humanity of forsaken lives and puts forward moral demands with political implications that create new forms of solidarity and challenge the boundaries of the nation-state and the way it constrains and nationalizes the idea, the rules, and the practices of citizenship.

This, I believe, is the subtext of the 1999 Nobel Prize speech of James Orbinski, former president of Médecins sans Frontiers:

> Ours is an ethic of refusal. It will not allow any moral
> political failure or injustice to be sanitized or cleansed
> of its meaning. The 1992 crimes against humanity in

> Bosnia-Herzegovina. The 1994 genocide in Rwanda. The 1997 massacres in Zaire. The 1999 indiscriminate attacks on civilians in Chechnya. These cannot be masked by terms like "Complex Humanitarian Emergency," or "Internal Security Crisis." Or by any other such euphemism — as though they are some random, politically undetermined event. Language is determinant. It frames the problem and defines response. It defines too rights, and therefore responsibilities. It defines whether a medical or humanitarian response is inadequate. It defines whether a political response is inadequate. . . . For MSF, this is the humanitarian act: to seek to relieve suffering, to seek to restore autonomy, to witness to the truth of injustice, and to insist on political responsibility. . . . Ours is not to displace the responsibility of the state. The final responsibility of the state is to include, not to exclude, to balance public interests over private interests, and to ensure that a just social order exists. Ours is not to allow a humanitarian alibi to mask the state's responsibility to ensure justice and security.[16]

Everything is presented here in a nutshell: the irreducibility of the moral concern; the necessity to politicize humanitarian action — i.e., to understand it in its proper political context and take account of its political implication — without however taking any position regarding the stakes of the political game; assuming and addressing the state's responsibility to ensure justice and security, and to protect every one of its subjects, without speaking, however, from the point of view of the state or its people; taking the position of a universal addresser whose sole legitimacy comes from the unbounded solidarity with the victims of power which it claims to embody (but not to represent); the readiness to turn this unbounded solidarity with the victims into a challenge to the sovereign power that generates and fosters their plight, or block those who come to their rescue.

That in practice humanitarian action often finds itself entan-

gled with the power it should oppose or challenge is obviously
true, and the critiques that have exposed this are abundant. The
point, I said above, is not that humanitarian actors are morally right
due to their mere concern with the mal-being of others, but that
they are "within the moral." Thus, the critical reflection that insists
on deciphering their collaboration with the powers that generate
disasters is not external to their discourse but constitutes one of its
constitutive elements, and its efficacy may be compared to that of
refutation in the sciences. The humanitarian "regime of justifica-
tion"[17] means that the reflection on any course of humanitarian
action must frequently go through and overcome the suspicion of
collaboration; a course of action that fails the critical test should be
abandoned. This is as close as one gets today to the existence of
morality as a *sui generis* domain or a social sphere, with stakes,
concerns, and interests of its own.

1   I have made a systematic attempt to explore and argue for such a view of the moral
     domain (without assuming its existence as an autonomous field of action) in my
     Order of Evils: Toward an Ontology of Morals (New York: Zone Books, 2005).
     Hereafter cited as *OE*.
2   For "places of knowledge" see Adi Ophir and Steven Shapin, "The Place of
     Knowledge: A Methodological Survey," *Science in Context* 4, no. 1 (1991): 3–21.
3   See chapter 1.1 in Alain Badiou, *Ethics: An Essay on the Understanding of Evil* (New
     York: Verso, 2002).
4   John Caputo, *Against Ethics: Contribution to a Poetics of Obligation with Constant Refer-
     ence to Deconstruction* (Indiana: Indiana University Press, 1993). See chapters 1–2.
5   "*Everyone will readily agree* that it is of the highest importance to know whether we
     are not duped by morality." Immanuel Levinas, *Totality and Infinity* (Pittsburgh:
     Duquesne University Press, 1969).
6   However, these two extreme positions have a common ground that is not self-evi-
     dent and should be spelled out. It is the understanding that morality is neither a
     sheer matter of judgment (of a special kind, no doubt) and its systematic justifica-
     tion, nor is it a set of prescriptive speech acts whose validity one should examine
     according to given principles. Moral matters are social matters of some sort and as
     such have a reality of their own. If the reductionist realist is correct, their being is not

different from the being of other ideological phenomena; if, on the other hand, morality is an autonomous social field, its being consists of whatever it takes to enclose a set of discourses and practices within a sphere of their own.

7   The claim was first made by Jacques Derrida in "The Force of Law" published in Drucilla Cornell, Michel Rosenfeld, David Gray Carlson, eds., *Deconstruction and the Possibility of Justice* (New York: Routledge, 1992), but has been repeated many times since. Here is one among many possible quotes: "This is where deconstruction would always begin to take shape as the thinking of the gift and of the undeconstructible justice. . . ." Jacques Derrida, *Specters of Marx* (New York: Routledge, 1994), 28.

8   For an early and still convincing explication of this turn, see Simon Critchley, *The Ethics of Deconstruction: Derrida and Levinas* (Cambridge: Blackwell, 1992).

9   Such observations are scattered throughout *OE*.

10   There is a nice, quite old literary example in Heinrich Von Kleist, David Luke and Nigel Reeves, eds., *The Marquise of O and Other Stories* (New York: Penguin Classics, 1978). For a contemporary account, see, for example, the essays collected in E. L. Quarantelli, ed., *What is a Disaster? Perspectives on the Question* (New York: Routledge, 1998).

11   We shall not concern ourselves here with this distinction which, from the moment that the state is held responsible for coping with natural disasters, becomes obsolete and indefensible.

12   Cf. John F. Hutchinson, *Champions of Charity: War and the Rise of the Red Cross* (Boulder, CO: Westview, 1996).

13   Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty,* (Cambridge: MIT Press, 1985).

14   Giorgio Agamben, *Homo Sacer* (Stanford: Stanford University Press, 1998), Part I. Hereafter cited as *HS*.

15   This is basically Agamben's claim.

16   James Orbinski, 1999 Nobel Prize speech, Médecins sans Frontiers Internet site: www.msf.org/events/nobel/reports/speech/index.htm.

17   I am using this term in the sense given by Boltanski.