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Notes in response to Avery Gordon's keynote lecture *'I'm Here in Echo': Reflections on the Guantánamo Prisoners of War Twenty Years On*

Part of the program Drawing Faces (In Terror Times) Amsterdam, December 2022

Curated by Edwin Nasr (de Appel & Stedelijk Museum)

What I find crucial in Avery's articulations and what I would want to reiterate is the way in which her analysis of the conditions and mechanisms of racial capitalism and particularly her conjuring of the idiom of social death do not remain descriptive tools of the condition of being-in-prison but turn rather to speak to us all: How do we learn to relate to the living who appear to be dead? Or in other words: how do we learn to speak the language of the dead?

As a response to the lecture, I will provide some notes which function rather like open questions that have come up through and alongside Avery's text.

## 1. 'Dead also in law'

In *Restating the Obvious*, a 2007 essay by Ruth Wilson Gilmore and Craig Gilmore, they write, "The case of the Guantánamo 14 offers us a chance to pause and consider how legal protections under the law are not protections from the law." Here they are referencing the 2006 public announcement that 14 detainees held so far in secret by the CIA would be moved to Guantanamo. This move, that was seen by many as a move from exceptional strategies to a more being *within-the-legal*, was also accompanied by proposals by the Bush administration to make changes to the law to allow for so-called 'alternative interrogation techniques' among other things.

Following the public revelations of the various forms of abuse and torture that took place at Guantanamo and Abu Ghraib in Iraq, many took up the framework of 'the state of exception' as a fitting analytic frame.

But the manufacture of non-personhood does not take place behind the back of the law nor is it a result of its temporary lapse or absence. In the space between civil and penal life the law is always there. And so how can we read Guantanamo within the legal frameworks and continuities of the US? And what does such a reading offer us to further elaborate on 'the living who are dead'? And to also extend that analysis to other places and within other states and legal bodies and to the legal apparatuses that function across and between them?

## 2. I can see you

As part of this year's Berlin Biennale, a work by French artist Jean Jacques Lebel was displayed at Hamburger Bahnhof. The work shared the space, or maybe more precisely traversed, interrupted, and shaped the entirety of the space that also featured the works of three Iraqi artists Sajjad Abbas, Layth Kareem, and Raed Mutar. Titled *Poison Soluble*, Lebel's artwork reproduced the photos taken by American soldiers at the Abu Ghraib prison that were leaked in 2004 - these images of abuse and torture of Iraqis were enlarged and spatialized into a maze intended for viewers to walk-through. Sajjad Abbas' work titled *I Can See You*, a large scale banner carrying

those words and an outline of the artist's eye (first hung publically in Baghdad) was now only visible through Lebel's.

Despite various critical voices, the Biennale insisted that this work and its display of these images were somehow conducive to political change, or in other words they were positing the claim: these images have to be seen for something to be done.

In a public letter Iraqi American curator Rijin Sahakian responded, "Yet a basis for political action is nowhere to be found in this presentation of images, nor is an understanding of the immeasurable, ongoing pain they inflict."

To echo and add to Rijin's provocation: is a basis for political action ever to be found in such images? Or is it always somewhere else? Is it perhaps precisely in the space where those images no longer persist?

### **3. You have not yet been defeated**

This phrase (which one could read as a diagnosis, a call to arms, or perhaps even a part of a curse to follow Avery) serves as the title of a recently published collection of writings by the Egyptian activist, technologist, and writer Alaa Abd el-Fattah.

Since 2011, Alaa has been serving several intermittent prison terms for his political and journalistic activities, being accused most recently of 'spreading false news'. In April of this year, Alaa began a hunger strike that escalated from the consumption of a limited amount of calories to a complete food and water strike in November to coincide with the COP27 climate conference that took place in Sharm El Sheikh. Alaa's hunger strike was ended with medical intervention and since then he has been back on water and food and his family has been able to visit him.

Alaa is one of Egypt's most prominent political prisoners. But thousands of others are detained in Egypt's prisons for political reasons. In the tension between enemy and criminal, which Avery points to, where is the political prisoner situated? Without *exceptionalizing* the figure of the political prisoner, how can we engage its specificity in relation to a political pedagogy of the oppressed?

You have not yet been defeated. I call on this of course in conversation with Avery's elaboration of Berger's notion of undefeated despair or even more so in resonance with what Avery describes as the relation of the not-yet-captured to those in captivity. In fact, Alaa's full formulation, which appears in a letter he writes in 2017 to the RightsCon Summit, reads:

*Unlike me, you have not yet been defeated.*

I would like to close my intervention with a short excerpt from Alaa's writings. The following are the concluding words to his text *A Portrait of the Activist outside His Prison* (2017).

We were, then we were defeated, and meaning was defeated with us. But we have not perished yet, and meaning has not been killed. Perhaps our defeat was inevitable, but the current chaos that is sweeping the world will sooner or later give birth to a new world, a world that will – of course – be ruled and managed by the victors. But nothing will constrain the strong, nor shape the margins of freedom and justice, nor define spaces of beauty and possibilities for a common life except the weak, who clung to their defense of meaning, even after defeat.