Review Essay

Ethnographies of Violence: Law, Dissidence, and the State

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Robin Wagner-Pacifici, *Discourse and Destruction: The City of Philadelphia v. MOVE.* Chicago: University of Chicago Press, 1994. 192 pp. $34.95 cloth; $12.95 paper.

Allen Feldman, *Formations of Violence: The Narrative of the Body and Political Terror in Northern Ireland.* Chicago: University of Chicago Press, 1991. 328 pp. $48.00 cloth; $17.95 paper.

Julie Peteet, *Gender in Crisis: Women and the Palestinian Movement.* New York: Columbia University Press, 1991. 245 pp. $39.50 cloth; $13.50 paper.

Within legal anthropology, it was once possible to assume that law was an alternative to violence. True, Hoebel (1954) noted that law is sanctioned by physical force, but in Hoebel's day, the *legal* use of force was deemed socially authorized and therefore legitimate. Unauthorized force (or "violence") was seen as "crime," a violation of the social contract, and was the very thing that law was designed to prevent (see also Bohannon 1989). Moreover, violence was believed to mark the boundary of the social order in that it demarcated the groupings within which disputes could be settled by language rather than by blows (Evans-Pritchard 1940). Legal anthropologists further opposed law and violence by assuming that the existence of legal means of resolving disputes (such as court hearings or mediation sessions) reduced violence by preventing people from simply fighting things out (see Greenhouse 1992).[1] In short, law was associated

[1] To quote a typical passage from a popular ethnography, "Since the appointment of Isak Utugile as headman at !Kangwa in 1948, !Kung have preferred to bring serious

with order, control, rationality, and society, whereas violence was deemed chaotic, uncontrollable, irrational and antisocial.[2]

Clearly, the time when "law" and "violence" can be assumed to be in opposition is long past. Since the 1960s and 1970s, when Marxist theory and other developments prompted a reconceptualization of society, most anthropologists have recognized that "the social order" is often inequitable and that conflict is intrinsic to social relations.[3] As a result, it is difficult to assume that there is a social "consensus" about anything, let alone the law.[4] Within legal anthropology, there has been a trend toward seeing laws as contested, as a set of discourses and processes that can be used to dominate and/or to resist domination (Starr & Collier 1989; Hirsch & Lazarus-Black 1994; Thompson 1975). If law is one of the weapons that can be wielded within social conflict (Collier 1973; Comaroff & Roberts 1981), then the legitimacy of the state's use of force and the illegitimacy of others' use of force may be questioned by all or part of a populace. This further suggests that, even if law does promote "order," "order" may be regarded as unjust, and as itself "violent."

Recognizing that the law can be used to repress, and to repress violently, has raised new questions about the nature of "law," "violence," and the relationship between them (see Cover 1986; Minow et al. 1992; Sarat & Kearns 1992). For example, instead of being a source of disorder, is it possible for unauthorized violence to be an intrinsic part of social relations? Far from reducing violence, can law and legal discourse encourage the use of force? Are "legal" and "illegal" violence one phenomenon or two? And can violence create opportunities for radical redefinitions of social (including legal) norms?

The ethnographies that are the subjects of this review address these and related questions. Significantly, none were written by scholars who specialize in law, and in none is law at the center of the author's inquiry. Robin Wagner-Pacifici is a sociologist whose previous work (1986) analyzed terrorism in Italy. Allen Feldman is an anthropologist and folklorist who has recorded Irish fiddle music (Feldman 1985). Julie Peteet is an anthropologist who studies gender and activism. However, because they each analyze situations in which states and dissidents act violently, these authors find it necessary to say something about the ways that law contributes to or is shaped by violence. As a result, these scholars' assessments of the roles that law plays within the processes they analyze make important contributions to legal theory.

conflicts to him for adjudication rather than allow them to cross the threshold of violence" (Lee 1984:96).

[2] For discussions of these ideas see Sarat & Kearns 1992.

[3] See Ortner 1984 for a discussion of theoretical shifts within anthropology since the 1960s.

[4] For a discussion and critique of harmony ideology, see Nader 1990, 1993.

In *Discourse and Destruction*, Wagner-Pacifici studies narratives about MOVE (an African American dissident group whose home was bombed by the city of Philadelphia in 1985) in order to examine how violence is "talked into life" (p. 1) and whether or not there are ways of talking that can reduce the likelihood of violence. MOVE, a group that Wagner-Pacifici characterizes as self-consciously resistant to categorization (p. 11), was founded in the early 1970s. MOVE members lived together, adopted the surname "Africa," ate raw food, advocated for animal rights, opposed technology, and were generally "anti-system." In 1978, a shoot-out between police and MOVE members resulted in one officer dead and one MOVE member badly beaten, which in turn led to the conviction and imprisonment of nine MOVE members on murder charges. The remaining MOVE members moved into a new house where they resorted to using loud speakers to demand that the cases of convicted MOVE members be reopened. Neighbors began to complain to city officials about the loud-speaker noise, MOVE members' obscene language, their display of firearms, and the feces and raw meat that collected in MOVE members' yards. On 13 May 1985, 500 police officers with heavy weaponry converged on the MOVE house to arrest MOVE members. Police bombed the house, igniting a fire that killed 11 of the house's inhabitants (including 5 children) and destroyed the surrounding block of homes. Only two MOVE members—an adult and a child—escaped the blaze.

To analyze how it came about that the city of Philadelphia deployed such tremendous force against so few people, Wagner-Pacifici examines the stories that were constructed about MOVE and its destruction in such documents as city officials' memos and reports, the hearings that followed the bombing, news articles and editorials, police records, neighbors' letters to government officials regarding MOVE, the transcript of MOVE members' trials, and a community survey conducted by the American Friends Service Committee. Concentrating on the days leading up to and the hearings following the bombing, Wagner-Pacifici "interrogat[es] [these texts] . . . with discourse analysis" (p. 17)—a phrase that implies that her method is a weapon and that therefore strikes this reader as odd in an analysis and critique of violence. To interrogate the texts surrounding the MOVE events, Wagner-Pacifici seeks to identify moments of "discourse contamination" (p. 8) in which elements of one discourse seep into another. Such contamination occurs, Wagner-Pacifici argues, because no single discourse is adequate to the task of depicting lived experience. Discourse contamination thus reveals the limits of what particular discourses can say. According to Wagner-Pacific, it is in such gaps, when individuals lose faith in speech itself, that violence becomes possible.

Given Wagner-Pacifici's concern with language, it is not surprising that she pays attention to the language she uses in her own writing, particularly to the question, "[H]ow is horror to be articulated and how is articulation (the process of theorizing or making an academic study about something) horrified?" (p. 2).[5] The strategy she adopts in her account of the destruction of MOVE is not to attempt to reveal "the truth" of this event (and to thereby contradict her view that language itself is constitutive of that which it describes), but rather, following Bakhtin, to reduce "the lie to an absurdity" (p. 139). Wagner-Pacifici's interpretations of excerpts from the texts she studied achieve this goal brilliantly and also produce a fascinating and richly detailed account of the confrontation between MOVE and the city of Philadelphia. Her writing is also more personal than most academic accounts and therefore creates the impression that the reader is being spoken to. For example, she begins her book by acknowledging her analytical fascination with violence, she opens her chapter on bureaucratic discourse by stating, "Already I feel a great sleepiness coming over me" (p. 76), and in the chapter describing MOVE, she admits, "Let me come clean. I don't know exactly what MOVE was" (p. 26). Though Wagner-Pacifici's writing style is effective and her analysis is insightful, I have some questions about her characterization of discourses. For instance, "contamination" strikes me as an odd way of describing interconnections between discourses in that it implies defiling something "pure," and Wagner-Pacifici's point is precisely that no discourse is pure. Moreover, this term suggests that discourses are quite distinct, and I suspect that the lines between discourses are sometimes blurred. Despite these problems, Wagner-Pacifici's account of the discourse surrounding MOVE and its destruction is fascinating and well worth reading.

Wagner-Pacifici begins her analysis of stories about MOVE by describing city officials' and the public's difficulties categorizing this group. To relate these conflicting characterizations, Wagner-Pacifici adopts the perspective of a concerned Philadelphia citizen, a position that has the advantage of enabling her to relate the contradictory accounts that such a citizen would have received but, in contrast to Feldman's and Peteet's detailed descriptions of activists' consciousnesses (see below), has the disadvantage of omitting the ways that MOVE members characterized their organization to themselves in private. Publicly, MOVE was termed everything from a nuisance to a cult to a nonconformist group to a terrorist organization. MOVE members' public response to the charge that they were violent was to define themselves as a family and a religion and to depict their "violence" as "self-defense." Wagner-Pacifici argues that the impossibility of

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5 See Taussig 1984 for discussion of a similar dilemma.

firmly categorizing MOVE contributed to the violence used against MOVE members, that there was a connection between the "metaphysical fury" (a phrase of Bourdieu's, cited on p. 25) of the efforts to categorize MOVE and the physical fury of the attack on the MOVE house. Although this assertion may overemphasize individuals' need for coherence (as Rosaldo (1989) notes, ambiguity has certain advantages), this idea is nonetheless intriguing, and illustrates Wagner-Pacifici's contention that there are close but complex relationships between language and action. (I should note that Wagner-Pacifici's own description of MOVE added to my own confusion over the nature of this group in that it omitted certain basic details, such as the total number of MOVE members and whether or not all members lived in the MOVE house.)

Wagner-Pacifici argues that four discourses were used within narratives about MOVE: domesticity/sentimentality, bureaucracy, law, and war. I must admit that whenever an author enumerates the discourses that are operative in a given cultural milieu, I always wonder how the author has decided which notions and patterns to elevate to the status of "discourses." For example, in this case, Wagner-Pacifici states that the discourse of domesticity is made up of sentimentality, melodrama, and the domestic. Why is "melodrama" part of the discourse of domesticity rather than a discourse in its own right? Setting this consideration aside, I found Wagner-Pacifici's analysis of the ways participants in the MOVE debate used these discourses fascinating and convincing.

The first discourse that Wagner-Pacifici discusses in detail is that of domesticity. Wagner-Pacifici argues that most public representations of the neighborhood in which the MOVE house was located emphasized the normalcy of MOVE's neighbors and the cultural deviancy of MOVE. For example, neighbors' descriptions of their own lives concentrated on homely details, such as children's birthday parties and dressing up as Santa Claus. Wagner-Pacifici terms such self-characterizations "doing being ordinary," and notes that for some, "being ordinary" is a privilege, whereas others (such as MOVE's African American neighbors) have to work to be accepted as "ordinary" (and therefore as worthy of being "saved" from MOVE). Wagner-Pacifici also notes that the news media's continual references to the "orderliness" and "tidiness" of the neighborhood may reflect difficulties that Americans have in linking the terms "ordinary" and "African American." MOVE members were not usually depicted as ordinary (though they, too, tried to portray themselves as a family and as good neighbors), a fact made clear in the debate in the postbombing hearings over whether MOVE children were children or hostages.

Wagner-Pacifici then turns her attention to bureaucratic discourse. She characterizes government bureaucrats' policy vis-à-vis MOVE as "benign avoidance" (p. 83) and notes that, following the bombing, city officials could not explain how this policy had been articulated by the mayor and conveyed to subordinates. It was simply "known." Wagner-Pacifici writes, "When one combines a nonarticulated policy of avoidance with the increasing specialization of functions of different agencies, and when one has as the nonobject of this inaction a group that confounds categorization . . ., one has the feeling that the situation will either implode or explode" (p. 85)—which, of course, it did. In the postbombing hearings, the Mayor represented himself as having had little control over this outcome, given the volatility of the neighbors and his own lack of authority to accede to MOVE's demand that imprisoned MOVE members' cases be reheard. Deeming a conflict inevitable, the mayor directed city officials to devise a plan for the confrontation. This directive was passed on to lower officials until it arrived at a sergeant in the Bomb Disposal Unit of the police force. The sole copy of the plan that this officer devised was eventually misplaced, which Wagner-Pacifici attributes to "the bureaucratic dread of conflict" (p. 87).

Wagner-Pacifici argues that in the MOVE case, bureaucratic discourse was "contaminated" with sentimental language. Wagner-Pacifici notes that one of the weaknesses of bureaucratic language is that it focuses on means rather than ends. Sentimental discourse enables officials to present the public "heart" that cannot be articulated in discussions of means. As a result, Wagner-Pacifici contends, it was discursively necessary for city officials to "do emotion" and during the hearings following the bombing, certain questions posed to officials required them to do just that. (Wagner-Pacifici finds it significant that MOVE members who testified were not asked to describe the emotions they felt during the crisis.)

As her account of MOVE nears the moment of the bombing itself, Wagner-Pacifici turns her attention to the discourses of law and war. The fact that she treats these two discourses in a single chapter (subtitled "Speaking Warrants and Weapons") is indicative of the close relationship that Wagner-Pacifici sees between language—particularly *legal* language—and violence. In fact, citing Robert Cover (1986), Wagner-Pacifici contends that legal language is not a prelude to violence or something that supports violence; it *is* violence. Yet Wagner-Pacifici distinguishes between the discourses of lawyers and of the police, noting that with the production of warrants, one discipline (the judiciary) handed its charge to another (the police). Receiving arrest warrants enabled the police to constitute MOVE members' actions as crimes and thus to legitimize police violence. Wagner-Pacifici notes that, hypothetically at least, the amount of force used against a suspect

should correspond to the crime of which the suspect is accused. However, the officers in charge of the May 13 operation *never read* the charges in the warrants. According to Wagner-Pacific, officers' ignorance of the charges enabled them to use unlimited force against MOVE members. In addition, officers legitimized their violence through the language of war (suggesting that like the Viet Cong, MOVE women and children might have been wired with explosives) and domesticity (comparing the chemicals and weaponry used against MOVE members to such domestic and nonviolent items as powdered milk and a toy train). Although legal discourse supported the violence against MOVE, after the bombing legal discourse proved incapable of fixing blame for the destruction. The deaths of MOVE children were classified as homicides (the adults' deaths were deemed something between homicides and suicides), but no one was charged with murder. As Wagner-Pacifici notes, "Worldviews, institutional processes, and governing structures cannot be indicted" (p. 105).

The community members who attempted to mediate the conflict between MOVE and the city are worthy of special mention, as these are the only participants in this crisis that Wagner-Pacifici believes spoke in ways that reduced the threat of violence. Wagner-Pacifici argues that in contrast to discourse contamination (a form of "discursive breakdown" that creates potentials for violence), discourses are sometimes creatively combined in ways that enable people to say new things. She terms this process "discourse hybridization," which she defines as "a practical acknowledgment of the incompleteness, the partiality of a given discursive formation. This involves discursive self-critique and an openness to other discourses. The constant aim of hybridization is the deinstitutionalization of discourse" (p. 146). Wagner-Pacifici states that individuals do not have to be *conscious* of their use of discourses in order to create discursive hybrids, rather, hybridization stems from a speaker's interstitial structural position. To Wagner-Pacifici, community mediators occupied such a position, as they were neither part of the power structure nor one of the subordinate groups in this conflict, but rather were "their community's own intellectuals" (p. 114). As evidence of their hybridity, Wagner-Pacifici notes that in the postbombing hearings, mediators constructed their own authority (which city officials did not recognize) as stemming not from formal training or official expertise (which they in fact disavowed) but rather from their experiences in previous conflicts. Mediators refused to participate in the effort to categorize MOVE, and instead offered evaluations of the crisis and its causes. Commissioners at the hearings, who viewed mediators primarily as eyewitnesses rather than as experts, included little of the mediators' testimony in their final report.

Although Wagner-Pacifici's analysis of discourses about MOVE is rich, insightful, and well worth reading, I do have some problems with her broader claims about the relationship between language and violence. For instance, because Wagner-Pacifici singles out the speech of organic mediators for approval, she seems to suggest that the potential for nonviolent speech is fairly limited, that only certain individuals are positioned to speak in ways that reduce violence. I find this puzzling, as, throughout her book, there are numerous instances in which other individuals, such as MOVE members or neighbors, draw attention to flaws in the discourses through which the destruction of MOVE was narrated. For example, following testimony about violence between MOVE members, a former MOVE member asked a commissioner, "Am I to assume that the bomb was dropped on the MOVE people because Frank [a MOVE member] beat his mother?" (p. 41). This question combines the language of bombs and war with that of domesticity, and questions whether categorizing MOVE members as cultural deviants justifies exterminating them. If this question, like the language of mediators, challenges the potential for violence that was part of much of the discourse about MOVE, then it may be the case that numerous individuals are positioned in ways that would allow them to speak violently, nonviolently, or some combination of the two.

A related problem is that I find it difficult to distinguish "discourse contamination" from "discourse hybridization." Throughout her book, Wagner-Pacifici uses instances of discourse contamination to expose the incompleteness of particular discourses, which, she says, is what discourse hybridization achieves. Of course, Wagner-Pacifici is a researcher, whereas those whose speech she analyzes are not. However, she states that both contamination and hybridization can occur unconsciously, so the consciousness of the researcher should not be a distinguishing factor. Wagner-Pacifici states that hybridization stems from the contradictory social position of the speaker, a position that allows speakers to cross discursive boundaries. But aren't *many*, if not most, social positions contradictory? Wagner-Pacifici devotes a great deal of attention to the conflicting positions occupied by MOVE within narratives, and she even describes contradictions within bureaucrats' positions (e.g., they are simultaneously selfless and idiosyncratic). Why wouldn't these and other contradictions enable many individuals to perform discourse hybridization? It would be interesting to know whether Wagner-Pacifici considers her own writing to be in any way an example of hybridization.

Furthermore, while I agree with Wagner-Pacifici that individuals' intentions are not the measure of their actions or statements, it seems to me that making a speaker's consciousness ir-

relevant creates the danger of making people, and agency, irrelevant. For example, Wagner-Pacifici states that "discourses do their work regardless of how attuned or oblivious a given social speaker is to the specific institutional variables of power in each case" (p. 4). In this sentence (and other examples could be cited), it is *discourses* that act, work, interact, etc., rather than *people*. Nonetheless, agency and intentionality are matters that Wagner-Pacifici worries over. She argues that individuals do have some ability to adopt positions within particular discourses (though adopting such a position means being limited by the discourse in question), but she notes that speech must be appropriate to a speaker's subject position and must be ethically and rationally coherent. Intentionality and discursive constraint remain in tension throughout this book.

Finally, although Wagner-Pacifici persuades me that the discourses surrounding MOVE did "talk violence into life," it seems to me that other factors in addition to discourse contamination must be responsible for the destruction of the MOVE house, its surrounds, and most of its inhabitants. If all discourses are partial, then discourse contamination must be going on all the time, but houses are not being exploded all the time. What are the conditions under which "discursive breakdown" produces violence? Is the existence of an uncategorizable entity (such as MOVE) one of the necessary conditions? If so, how rare is it for entities to defy categorization? How does language cause violence—and vice versa?

These questions aside, *Discourse and Destruction* succeeds in demonstrating both the violent potential of language and the prevalence of the cultural belief that language and violence are opposed.[6] In fact, Wagner-Pacifici implies that the latter is responsible for the former. If violence occurs when speech fails, this cannot be because speech itself prevents violence, since, as Wagner-Pacifici shows throughout this book, the discourse about MOVE both contributed to and was part of the violence on 13 May 1985. The connection between violence and "discursive breakdown" is, then, people's faith in the ability of speech to prevent violence. Wagner-Pacifici argues that this supposed opposition between violence and language is encapsulated in the term "terrorism," one of the ways that MOVE activities were characterized. Wagner-Pacifici writes, "The label *terrorism* acts as a bridge connecting an imaginary world inhabited completely by a violence without reason with another imaginary world inhabited to-

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[6] I happened on an example of both of these one morning shortly after I had first read *Discourse and Destruction*. As I dropped my two-year-old off at daycare, I noticed one child yell angrily at another, "Don't touch my sticks!" My son would have burst into tears if this remark had been directed at him, but the teacher complimented the child for "using his words." The language that my son would have perceived as violent was perceived by the teacher as an *alternative* to violence.

tally by language and void of violence" (p. 136). It occurs to me that this opposition may not be the only cultural possibility, that Americans sometimes perceive language (e.g., hate speech) as a form of violence and even terrorism. But when Wagner-Pacifici notes that this opposition makes it difficult for people to imagine that normalcy could produce terrorism, she is right on the mark.

If Wagner-Pacifici's analysis of the stories constructed about MOVE cannot quite account for the dynamics through which violence occurs, Allen Feldman's genealogy of the cultural production of violence in Northern Ireland between 1969 and 1981 does explain how violence came to be a key form of political agency in the conflict over Irish sovereignty. Like other ethnographers of Ireland, Feldman contends that despite ideological divisions between the Loyalists, the Republicans, and the British and Northern Irish states, each of these groups participates in a common political culture. Feldman critiques the notion that violence serves ends that are specified by these groups' differing political ideologies and instead argues that violence is part of a shared spatial and somatic semiotics and praxis that reproduces political antagonisms. Feldman links his critique of instrumental notions of violence to reconceptualizations of political agency in late modernity. Citing Nietzsche, Feldman contends that agency is not the ability to act but rather the product of acting. This formulation suggests that the source and effect of agency are one: that that which legitimizes an act of domination is not external to the action but part of its performance. Citing Foucault, Feldman notes that such acts of domination have become spatialized in that they increasingly consist of regulating the movement of bodies over space. This shift, Feldman explains, has meant that bodies are no longer only the "objects" that they became with the development of capitalism but also are political "subjects" that, in their circulation, are invested with agency. In *Formations of Violence*, Feldman sets out to delineate the production and transformation of such subjectivities from 1969, when "the troubles" began, until 1981, when the hunger strikes that mobilized international sympathy for imprisoned Republican paramilitaries were concluded. The result of Feldman's endeavor is an incredible book, both theoretically complex and ethnographically fascinating.

To analyze the formation and transformation of political subjectivities in Northern Ireland, Feldman conducted fieldwork in Belfast from 1984 to 1986. Feldman did not attempt to do participant observation of political or paramilitary practices, as doing so would not have been permitted and would have implied complicity with the other forces conducting surveillance of such practices. Instead, Feldman concentrated on recording the "oral culture of political violence" (p. 11) by interviewing one hundred working class Catholic and Protestant individuals, most of whom

either were or had been involved in clandestine political activities. Feldman notes that his ability to conduct interviews depended on demonstrating to informants that there were certain things he did not want to know. Critiquing the "dialogical" model of the fieldwork encounter, Feldman argues that such editing on his own and informants' parts was productive rather than inhibiting: "There is an indirect voice of silence that inflects and intensifies the reception of form and content. The editing of transcribed voices in the field and afterward cannot be reduced to a technical, objectifying operation. To do so is to render writing extrinsic to the fieldwork process and thus to exile it from cultural and historical contingencies" (p. 12). The clandestine nature of political violence affected not only Feldman's language during interviews but his movements during fieldwork. Feldman conducted interviews in neutral spaces rather than in informants' own communities, as the only individuals who traveled between Catholic and Protestant communities were the police and the military.

During interviews, Feldman collected oral histories, liberal excerpts of which are quoted throughout the book.[7] Feldman views these oral histories as products of the violence in Northern Ireland rather than as artifacts of the research encounter. Oral histories exist, Feldman argues, because violence exceeds the social conditions that produce it and thus creates surplus meaning. To resolve the dissonance between this surplus meaning and their formal political ideologies, speakers construct oral narratives. Paralleling his critique of linear notions of agency, Feldman rejects linear constructions of the relationship between these narratives and the self. According to Feldman, the self does not *precede* narration but rather is itself *formed through* narrative (Wagner-Pacifici makes a similar point regarding the relationship between disputes and narratives about disputes). Feldman writes, "In a political culture the self that narrates speaks from a position of having been narrated and edited by others—by political institutions, by concepts of historical causality, and possibly by violence. The narrator speaks because this agent is already the recipient of narratives in which he or she has been inserted as a political subject" (p. 13). Narratives therefore perform a mimesis of other processes of narration and enable Feldman to analyze the cultural construction of violence (and history) as it is encoded in narrative.

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[7] The contrast between these narratives and the testimonies submitted to human rights organizations by victims of political torture in Argentina and elsewhere is striking. The latter, for example, use relatively formal language and seem designed to draw attention to the *illegality* of clandestine detention and torture. See the Inter-American Commission on Human Rights's 1980 *Report on the Situation of Human Rights in Argentina* for an example.

Feldman begins his genealogy of violence and political sub-
jectivity in Northern Ireland with the intercommunal rioting that
wracked Belfast in the late 1960s. Critiquing researchers who
have attributed the outbreak of violence to such causes as socio-
economic change, Feldman notes that violence is not just a con-
sequence but also something that can itself cause changes. Ac-
cording to Feldman, such changes began when Catholic activists
organized civil rights marches through and along the borders of
confessional communities. Though organizers intended to use
marches to claim civil space in the name of the "ethnically neu-
tral jural subject" (p. 22), these marches were perceived by both
their supporters and opponents as staking *ethnic* claims. This un-
derstanding of the marches was rooted in the notion that ethnic-
ity was territorialized, that particular spaces belonged to one or
the other ethnic group. Marchers, who were perceived as claim-
ing territory, were therefore attacked, which led to rioting. As the
rioting worsened, individuals who lived in ethnically mixed
spaces fled (or were expelled) to their own confessional commu-
nities. Such movements redefined social space, creating sanctuar-
ies, which were to be domains of kinship and residence, and in-
terfaces, which were zones of interethnic violence. This
partitioning of "kinship" and "violence" did not hold, as what was
for one group a "sanctuary" became for another a "targeted com-
munity." This, along with state's repression of the civil rights
movement, led to the formation of populist Protestant and Cath-
olic paramilitary groups.

Feldman argues that the emergence of paramilitary violence
was linked to a reconceptualization of the body as political agent.
Prior to the exacerbation of conflict between Loyalists and
Republicans, violence (which was apolitical) was performed by
street fighters known as "hardmen." Hardmen fought with their
fists, observed a moral code regarding "fair fights," and enjoyed
local or sometimes citywide reputations for prowess. In contrast,
"gunmen" (or paramilitaries) fight with guns, place the goal of
inflicting bodily harm above such notions as a "fair fight," and
are masked in both state and paramilitary propaganda. As their
name implies, gunmen are tools, extensions of their weapons.
The cultural construct "gunman" is linked to that of "stiff," the
cadavers produced through the gunman's violence. According to
Feldman, the production of stiffs invoked but transformed the
logic of spatialized violence inherent in sanctuaries and inter-
faces. The "cunt" (the individual who was the target of paramili-
tary violence) was defined not by his or her political ideology but
rather by the political subjectivity implied by membership in a
sectarian group. Creating a "stiff" out of a "cunt" purified the
community of the gunman by removing a defiling presence, but
defiled the target's own community by revealing its vulnerability
to attack, relocating the domain of violence in the interior of the

community (many targets were assassinated on their doorsteps), and placing within its midst a bearer of political signs constructed by the opposition.[8] Feldman argues that stiffs are political agents in that they recapitulate and foreshadow the production of other stiffs and the eventual removal of the defiling community as a whole.

Political subjectivity was further transformed through the technologies of arrest and interrogation to which paramilitaries and suspected paramilitaries were subjected. In the early 1970s, the British and Northern Irish governments suspended civil rights guarantees and common law and collectivized arrest by detaining and interrogating not only suspected paramilitaries but also individuals who could potentially become paramilitaries. Catholic and Protestant communities responded to these tactics by collectively judging the state's tactics as illegitimate in that they violated the boundary between the domestic and public spheres through invasive raids and observation. The state chose its victims arbitrarily, as would terrorists, and defied the notion of the individual jural subject on which the British legal system is based. Moreover, according to Feldman, the courts became extensions of the counterinsurgency apparatus, even as, through surveillance, interrogation, and covert assassination, the state was able to produce "terrorists" extrajudicially. Those who were subjected to interrogation resisted this tactic by mentally detaching themselves from their bodies and using these as weapons against interrogators. By discerning the order behind seemingly random beatings, the subjects of interrogation were able to provoke and thus control the violence to which they were subjected, a tactic that deprived this violence of its ability to "break" the victim.

In 1976, the Northern Irish government introduced a prison regime that led imprisoned Republican paramilitaries to develop new forms of political agency. Prior to 1976, imprisoned paramilitaries had enjoyed a political status that gave them certain privileges within the prison system. Then, embarrassed by the large numbers of political prisoners, the government redefined convicted paramiltaries as common criminals (known as "Ordinary Decent Criminals"). Imprisoned paramilitaries were to wear prison uniforms, divest themselves of military command structures (which had operated even in prison), live in cells rather than dormitories, and perform prison labor. Some Republican prisoners refused to undergo this defiling rite of individualization and went naked instead of wearing the prison uniform. These prisoners became known as "Blanketmen" due to the blankets they wore for clothing. Prison guards responded by increasing the violence against prisoners and subjecting prisoners' bod-

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[8] This situation contrasts with that of Argentina during the last period of military rule (1976–81), where what was produced were *desaparecidos*, or "disappeared persons," rather than bodies.

ily cavities to frequent searches. Prisoners countered these tactics by refusing to leave their cells, even to defecate. Prisoners threw urine and feces out of their cells, but the guards threw it back in. So prisoners put excrement on the only space available—the walls of their cells. The Blanket protest thus became the Dirty protest. Prisoners had responded to guards' efforts to make the interiors of their bodies visible by turning their bodies inside out: "the cell became the extended body of the prisoners, and their bodies became their temporary prisons" (p. 166). Together, the Blanket and Dirty protests lasted five years.

With the development of the Dirty protest, the stage was set for the final entry in Feldman's genealogy: the 1981 hunger strikes. According to Feldman, the disciplinary logic of the prison and the forms of resistance devised by the Blanketmen gave those involved in the prison protests a unique understanding of the somatics and semiotics of political agency. Unlike their unimprisoned colleagues, who contended that violence served objective political goals, prison protesters were engaged in a struggle that was simultaneously symbolic, material, and violent. Protesters had made their bodies (and their biological functions)—which were initially sources of vulnerability to the state—into weapons. Instead of pursuing objective goals, the protest became a form of "cognitive and cultural otherness" (p. 181). However, given the liminal status of protestors (who were simultaneously within and outside of the prison system), prisoners concluded their protest had stagnated. To renew themselves and the Republican movement, prisoners sought to reactivate linear time. To do so, they turned to the hunger strike.

The 1981 hunger strike has been characterized as a nonviolent protest; however, according to Feldman, the strike was perceived as a form of violence by those involved. The strike was grounded in the logic of the body-as-weapon that had developed in prison, produced stiffs—the medium of political transaction in Northern Ireland—and was intended to provoke a mass uprising on the part of the Irish citizenry. Through self-consumption, prisoners would reject their own criminality and expose that of the state. In the course of the hunger strike, ten prisoners died, including Bobby Sands, who had just been elected to parliament. These deaths did mobilize sympathy for the hunger strikers, but, contrary to hunger strikers' expectations, funeral attendance decreased with each additional death. Realizing that the strike wasn't working, prisoners abandoned this tactic and instead joined with imprisoned Loyalists in advocating segregation within the prison. By uniting victim and perpetrator in one body, the hunger strike had temporarily disrupted the form of political violence that predominated in Northern Ireland; however, the strike produced excess legitimacy that the IRA was able to use to justify further violence.

Feldman's genealogical approach makes numerous contributions to the project of understanding the formation, transformation, and reproduction of violence. One of the most significant is Feldman's brilliant analysis of the ways that particular technologies of repression give rise to novel forms of resistance, even as both repression and resistance participate in a common semiotics of power. Feldman's discussion of agency is thought-provoking. On the one hand, agency is culturally constructed in that the forms that agency can take are determined by the structures in which actions occur. On the other hand, because actions, particularly violent ones, produce excess meaning, both agency and structures are redefined through praxis. The fusion of the symbolic and the material within Feldman's analysis is a refreshing alternative to what is often a frustrating dichotomy.[9] Feldman's claim that within the prisons in Northern Ireland, symbolization was violent has material implications that references to symbolism, language, and symbolic violence often lack.[10] This is, in part, because to Feldman, symbolization is not simply *language* but also performance. Violence is indisputably a material practice, but as Feldman makes abundantly clear, violence itself creates meanings, redefines subjectivities, and repositions bodies.

Two subjects about which there is little information in Feldman's book are the political ideologies of Republicans and Loyalists and the subjectivities of female paramilitaries. The former omission is understandable, given Feldman's critique of linear and instrumental notions of political agency, and Feldman does describe ideology when this is important to understanding differences between the various participants in this conflict. The latter omission, however, is more puzzling, given that women's subjectivities may have differed from and even shed additional light on those of men. To be fair, Feldman does not neglect gender entirely. For example, he notes that targets of paramilitary violence are feminized (as "cunts"), he describes the "hen patrols" of bin-lid-banging women and children that formed when the feminine domain of kinship was invaded by the state, and he analyzes the "feminized" sanctuary spaces created in response to rioting. Narratives from women are included in the early part of his book, before he turns to the topic of imprisonment. And Feldman does note that there were female paramilitaries, that women were detained and interrogated, and that imprisoned female paramilitaries instigated their own dirty protest and wanted to conduct a hunger strike. However, the paramilitaries from whom Feldman collected oral histories were all male. Most likely, Feldman chose to concentrate only on men because men and women were

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[9] Greenhouse (1992) discusses how this dichotomy has influenced legal anthropology.

[10] Sarat and Kearns (1992) note that the recent tendency to deem almost everything as in some sense "violent" deprives this concept of its analytical utility.

housed in different prisons and because the hunger strike was launched by men. My point is not that Feldman needed to interview both men and women, but rather that I would have liked to have heard his reasons for not doing so, and his thoughts on whether the narratives in which female paramiltaries were inscribed differed from those of men.

Political ideologies (or "consciousnesses") and the experiences of female activists are precisely the focus of Julie Peteet's *Gender in Crisis.* Unlike *Discourse and Destruction* and *Formations of Violence*, Peteet's book does not analyze violence itself or the narratives constructed about violence but rather focuses on the ways that violence and other crises enable individuals to manipulate and reinterpret social norms. The focus of this inquiry is Palestinian refugee communities in Lebanon, groups that, between 1948 and 1982 (when Peteet's fieldwork ended), experienced exile, discrimination, economic deprivation, and military attacks. Peteet argues that crises can alter the ways that political economy, social practices, and cultural ideologies influence each other. In the case of Palestinian refugees in Lebanon, the social flux created by crisis was exacerbated by the emergence of organized Palestinian resistance within the refugee camps in 1969 and by the formation of an embryonic Palestinian state, both of which led Palestinians to consciously renew and/or manipulate cultural forms. Women in particular found that they could not pursue their traditional gender roles without disruption, as, for example, homes were shelled or subjected to military searches and necessary household supplies became scarce. To defend their traditional roles, women took unprecedented actions, such as joining political organizations and sleeping outside of the home. According to Peteet, such actions simultaneously reproduced and transformed gender norms and led some women to develop explicitly feminist consciousnesses.

The bulk of Peteet's book is devoted to detailing the history, ideologies, forms of mobilization, and practices through which women participated in the Palestinian Resistance movement. Her analysis is based largely on fieldwork conducted within Palestinian camps in and around Beirut between 1980 and 1982. Fieldwork consisted of participant observation of women's activities and of community life, as well as interviews with Palestinian women who were involved with the Resistance in some capacity. Like Feldman, Peteet found that her research methods were influenced by the violence experienced by the communities she studied. For instance, she could not take notes during emotional or life-threatening events, such as funerals and shellings, and she had to be particularly careful to maintain the confidentiality of participants' identities, given the possibility that Lebanese authorities might arrest activists. Also like Feldman, Peteet noted that interviewees were "editing" their accounts of Palestinian cul-

ture, less out of a concern for confidentiality than one of creating particular depictions of Palestinian society. Unlike Feldman, Peteet was able to obtain relatively uninhibited access to the activities of the communities she was analyzing, in part because the Resistance movement—which at the time controlled the camps—gave her permission to conduct research but also because Palestinians in the camps were accustomed to the presence and questions of Westerners, such as journalists. Peteet's descriptions of these activities and her liberal use of interview excerpts create a rich account of Palestinian women's activism.

Peteet's approach to analyzing the history of Palestinian women's activism is not to construct a genealogy, as does Feldman, but rather to uncover "subjugated knowledge" about women's experiences. Peteet argues that this knowledge has been subjugated in two senses: first, women (especially peasant women) have had little means of recording their activities, and second, the typically partial and fragmented histories of groups such as women have been deemed less legitimate than institutionalized histories, and therefore have been neglected within "scientific" historical accounts. In recovering this history, Peteet notes that although post-1969 female Palestinian activists deemed their predecessors' work "charity," Palestinian women who participated in the national movement between 1920 and the late 1960s took political actions and subtly challenged gender norms. For instance, women gave speeches within public (and therefore "male") religious settings, refused to identify the bodies of guerrilla fighters and thus protected their villages from reprisals, supported the families of imprisoned guerrillas, and sometimes joined in armed struggle themselves. These activities were not without class dimensions—for example, peasant women were more likely to actively support the armed struggle while elite women were more likely to give speeches or hold demonstrations—but, according to Peteet, women activists bridged class divisions to a greater degree than did men. During this period, Peteet argues, the national struggle took precedence over feminist concerns, and gender norms (such as male/female segregation) were challenged only in the course of supporting the national cause. Both women and men were, however, aware that women were affected in unique ways by dispossession. For example, to women, losing land meant the end of their productive, agricultural roles, whereas to men, it meant becoming wage laborers. Moreover, Palestinians believed that Zionists deliberately attacked women in order to compel Palestinians to protect their women (and thus their honor) by going into exile.

Peteet's description of the 1969–82 period, during which the Resistance movement took control of the camps and created new opportunities for women to take explicitly political action, draws on interview data to explicate women's consciousness regarding

the national struggle, class differences, and gender. Peteet's careful attention to individuals' own conceptions of their actions is laudable. According to Peteet, Palestinian activists believed that consciousness and action go hand in hand, that consciousness without action was "unactivated, uncommitted, and thus underdeveloped" (p. 68), and that action without consciousness was uninformed. Most of the women that Peteet interviewed perceived domination as largely an external rather than an internal phenomenon, arguing that the national struggle took precedence over either class or gender divisions within Palestinian society. Regarding gender, Peteet distinguishes between women who exhibited a "female" consciousness and those who had a "feminist" consciousness. She characterizes a female consciousness as a commitment to pursuing women's traditional rights, whereas a feminist consciousness entails perceiving gender hierarchy as separate from and prior to national and class oppression. Peteet argues persuasively that in situations of violence, female consciousness can have revolutionary potential, as women are compelled to take radical actions (such as taking up arms) to defend their rights. Moreover, she contends, when women who are attempting to defend their traditional roles encounter male opposition, these women sometimes develop a feminist consciousness. Noting the complexity of the relationship between gender and activism, Peteet argues that women's participation in the Resistance movement not only challenged but also reproduced gender norms. For instance, women hired by the Resistance movement usually held such traditionally female positions as nurses, secretaries, and teachers.

In discussing the forms that Palestinian women's activism took, Peteet makes the important point that it is difficult to distinguish between "activists" and "non-activists," as even women who did not belong to a political organization became active during crises and conceptualized many of their domestic tasks, such as raising children, as contributing to the national struggle. The Palestinians Peteet interviewed did distinguish between various categories of activists, such as cadres, friends, and supporters, and did regard women who lacked an explicit organizational affiliation as "pre-political." Female cadres were therefore assigned the task of organizing and recruiting women who lived in the camps, particularly unmarried women, who had more time available for political work. Peteet nonetheless argues that, due to the degree of repression that they were experiencing, Palestinian society in Lebanon had become a culture of resistance such that almost everyone contributed to the national struggle in one way or another. Peteet describes Palestinians' attitude toward the Resistance as one of overwhelming popular support, which suggests that individuals varied more in degree of politicization than in opposing or favoring the Resistance. As a result, familial oppo-

sition to women's activism was usually based on family honor (female militants were suspected of being sexually loose) rather than political differences.

Peteet's discussion of gender is complex. Rather than treating "women" as a single category, she describes the varying circumstances and experiences of older women, younger women, camp women, urban women, women of different social classes, and so forth. Her description of Palestinian women's activism and the changes that this entailed in relations between women and between men and women is an important ethnographic and theoretical contribution to the literature on gender relations. I did, however, find myself wondering how men and male-male relations were affected by the events that she described. For instance, how were unpoliticized Palestinian men viewed by their peers? Were the fathers of martyrs honored in the same way that mothers of martyrs were? Were men mobilized in the same fashion that women were, and did women ever mobilize men? I also would have appreciated a more detailed description of the traditional forms of domination that Palestinian women were challenging in the course of their activism.

Peteet's account of Palestinian women's activism does not give much attention to law; however, the legal issues that she does address are intriguing. First, legal (or quasi-legal) forms of repression, such as arresting, imprisoning, and executing individuals, were among the tactics used against Palestinians. These tactics created corresponding forms of resistance among Palestinian women. For instance, women mobilized to defend their homes, gathered outside the prison to ululate when their relatives were being executed, and, as mentioned above, were honored as "mothers of martyrs." The fact that *law* helped to produce these practices goes unanalyzed; however, Peteet's account, like the other two reviewed here, does provide information about ways that the "legal" invasion of the domestic sphere leads "domestics" to invade the political sphere. Second, Peteet's description of the alternative social institutions created by the Resistance provides an intriguing glimpse of semijudicial and legal actions. For instance, Resistance officials and commanders intervened to prevent honor killings, aided a woman in obtaining a divorce, supported women's right to choose their own spouses, and served as go-betweens for young men who were negotiating bride-prices with their future fathers-in-law. Third, and perhaps most significantly, Peteet's study addresses the question, To what degree can social change be wrought within an entity that is not quite a state? Most of the women interviewed by Peteet agreed that truly changing gender roles within Palestinian society required legal reform, which they deemed impossible, given that Palestine was not a state and that Palestinians were subject to the laws in the states where they resided. Women also noted that Palestinian

men, like Palestinian women, lacked legal rights and therefore also needed to seek liberation. However, reflecting on the precedent of Algeria, in which women's participation in national struggle did not lead to empowerment within the Algerian state, Palestinian women activists worried that the changes that they had achieved might not be sustained in the shift from society to state. In the end, it is unclear whether the violence that prompted a reconceptualization of social norms could also produce legal change.

Some Thoughts on Violence and Law

In the accounts reviewed here, law is treated as a form of, rather than an alternative to, violence. This understanding of the relationship between law and violence makes several significant contributions to legal theory. First, in these accounts law is not merely or primarily language or ideology but rather is equally material. For instance, in her discussion of the role that law played in the destruction of the MOVE house, Wagner-Pacifici notes that legal discourse produces material objects, such as warrants, which in turn call forth and justify the use of weaponry. Feldman analyzes not only how law can be invoked to legitimize the violence of the state but also the ways that legal practices— arrest, interrogation, prosecution, detention—are part of the culture of violence in Northern Ireland. Although Peteet does not explicitly discuss the materiality of law, her description of the legal tactics used against Palestinians, and of the ways that Palestinians' legal status as refugees limited their economic opportunities, implies that law takes material, as well as ideological and linguistic, forms. Approaches that emphasize the ways that legal language and practices define reality, fashion bodies, and enact violence have an advantage over those that treat law as consisting almost entirely of language (see, e.g., Bennett & Feldman 1981; White 1985, 1986), as the latter tend to focus on legal texts, courtroom narratives, and so forth, to the exclusion of the ways that such texts and narratives actually shape individuals' lives.[11] Rather than attempting to distinguish legal language from the effects or policy implications of such language, it seems to me to be more productive to recognize that language—like culture—is itself material.

Second, analyzing the nature of legal violence leads Wagner-Pacifici, Feldman, and, to a lesser extent, Peteet to treat law as simultaneously a unique cultural discourse and also as linked to a variety of social practices and institutions. As a result, without re-

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[11] Merry (1990:10) points out: "In the legal arena, it is not possible to draw a sharp distinction between the domination provided by cultural meanings and that provided by violence, between forms of control residing in the ability to shape consciousness and those residing in the exercise of force."

ferring to debates over the relative autonomy of law, these au-
thors provide sophisticated analyses of law's "semi-autonomous"
nature. Both Wagner-Pacifici and Feldman analyze the particular
logic of legal discourse, and Wagner-Pacifici discusses the limita-
tions in what can be said using legal language. Yet each of these
authors also sees law as connected to other discourses and prac-
tices, such as war, and both Feldman and Peteet discuss ways that
individuals who are not part of a formal legal apparatus appropri-
ate some of the language or functions of law and of legal authori-
ties. For instance, Irish paramilitaries adopted the security forces'
notion of "acceptable levels of violence," a notion that links the
legitimacy of violence to particular controls or limits, such as law.
Examining how legal notions and practices inform a variety of
social institutions and can be defined and employed by a variety
of individuals and groups broadens the range of activities that
can be considered legal without muddying the concept of law.

Third, these authors note ways that law both marks and fails
to mark boundaries within groups and between domains. In con-
trast to earlier theorists, who used the limits of the law's social
range as one measure of a society's boundaries, these authors
suggest that law operates differentially *within* society. Thus, the
government of Northern Ireland suspended common law guar-
antees in cases involving suspected paramilitaries, and in Phila-
delphia, the legal apparatus found it impossible to indict city offi-
cials for the deaths of MOVE members. Law thus draws attention
to boundaries and power relations within society. Noting ways
that the operation of law differentiates the powerful from the
subordinate calls the legitimacy of legally authorized violence
into question, and places such violence on a par with other sorts
of violent actions. Moreover, each of the authors whose work is
reviewed here discusses ways that law fails to recognize a bound-
ary between domestic and public realms of social life. Legal vio-
lence, in the form of police searches, explosives, and even black
paint, enters people's homes, and thus delegitimizes authorities'
use of force in the eyes of those so violated, while also legitimiz-
ing the violent and other tactics that these individuals devise in
response. Attending to individuals' perceptions of the domain
within which legal violence is legitimate (or, perhaps, most ille-
gitimate) sheds light on ways that law is implicated within other
social relations.

Finally, these authors pay attention to the relationship be-
tween legal repression and legal resistance. Feldman's discussion
of this relationship is most complex, as he analyzes how violence
(including legal violence) constructs subjectivities, which in turn
define the meaning and form of political agency. However, Wag-
ner-Pacifici also notes ways that MOVE members' and organic
mediators' testimony challenges the norms of being a witness,
and Peteet discusses the tactics through which Palestinians resist

legal repression. The notion that law, which is in many ways a hegemonic discourse, is not only contested but also potentially counterhegemonic (see Thompson 1975) is in line with recent approaches to analyzing resistance. For instance, Jean Comaroff (1985:195) noted that protest does not have to be "all-or-nothing," that acts that resist can also in some ways reproduce repressive structures (see also Foucault 1980; Abu-Lughod 1990). Examining how particular forms of legal repression create corresponding forms of resistance, and vice versa, promises to shed light on the complexity of the ways that law shapes and is constructed through political and other social processes.

An important question remains to be examined regarding the nature of legal violence: What is the relationship between the extraordinary sorts of violence analyzed here—civil war, national struggle, the destruction of the MOVE house—and more ordinary, seemingly less repressive forms of legal violence, such as imprisoning convicted criminals and deporting illegal immigrants? It is tempting to conclude that these are very different types of phenomena, that, though both are undeniably violent, one is uncontrolled, arbitrary, and illegitimate, while the other is limited, rational, and legitimate. However, I suspect that the similarities between "repressive" and "constitutional" legal violence are stronger than one would think, and that examining these connections would further break down the dichotomy between "legitimate" and "illegitimate" violence. Be that as it may, the books reviewed here have opened the door to such an exploration by detailing the roles legal violence plays within both in state repression and social dissidence.

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