

SCTIW Review

Journal of the Society for Contemporary Thought and the Islamicate World

ISSN: 2374-9288

March 17, 2015

Ariella Azoulay, *The Civil Contract of Photography*, MIT Press, 2012, 585 pp., \$22.95 (pbk), ISBN 9781890951894.

In *The Civil Contract of Photography* Ariella Azoulay argues that photography provides a space of citizenship for those who do not belong to or are not adequately protected by the sovereign power of a nation. This sounds like a stronger claim than it is because when one hears ‘civil contract’ one expects a guarantee of a citizen’s protection. For Azoulay, however, the civil contract of photography creates a space for viewers to take responsibility for the testimonies they witness in photography. This can only provide the groundwork for dialogue, deliberation, and a future possibility of protection.

The chapters of this book could be read as nine distinct essays, but one would then miss the full breadth of the argument it presents. There are numerous fascinating sub-topics, too many to address here, each of which invites new paths for further investigation not limited to citizenship or photography. *The Civil Contract of Photography* challenges the reader to take responsibility for injustices committed against vulnerable people, just as it argues for the viewer of photography to do so. In this way, speech and image are similarly active performances.

The primary focus of this text is on the problematic citizenship status of both Palestinians and women; in the first instance, people who have no citizenship protection under a sovereign power, while in the second, people who may have citizenship status but are not adequately protected by the sovereign power. Discussion of these two groups are woven together with photography from one chapter to the next, culminating in an analysis of the vulnerability of Palestinian women who are accused of being collaborators.

Each chapter requires careful examination of numerous photojournalistic images, many of which are clearly disturbing. Other images appear ordinary at first glance, until further context is provided. This is revealed to be doubly disturbing since we have grown accustomed to many of these images, such as detainees being abused at Abu Ghraib prison in Iraq. Through the course of the book Azoulay guides the reader to develop the sensitivity for reading the civil contract between a photographed person, the photographer, and the viewer of the photograph. Azoulay presents a rich visual field generated by noticing the details in images of conflicts between people of unequal power. In one case we see an image of a soldier with a rifle drawn screaming at a wounded man who is face down on a road with blood pooling near his knee (71). It is obvious that the empty hands of the injured man are gesturing in a plea for help, or calm, or a reasoned conversation, or all of these—where these

had clearly been lacking just moments ago. “All he can attempt,” says Azoulay, “is to overcome the urgency of his physical state and renew the civil skills and gestures he was forced to repress in order to protect himself” (72). Although the project is not framed in such terms, I am inclined to compare this presentation with the phenomenological tradition of returning to and paying attention to the world as it is really given to us. In this case, the world is given through daily journalistic images presenting Palestinians on the verge of disaster: at checkpoints with arms raised and midriffs exposed, at the end of a pointed gun, or inside a home that is exposed to the street by a blast. Azoulay describes how photographs bear both visible and invisible testimonies; photographs say more than what is immediately given to the visible, yet they occur within a context that always remains invisible, outside of the frame.¹

To develop the concept of the civil contract of photography Azoulay discusses the civil contract tradition from Hobbes to Rousseau. But the similarities end with the non-signing and the non-event of such civil contracts. For Hobbes and Rousseau, the contract gives way to a sovereign or state. The civil contract of photography provides a form of representation, via imagery, and calls for responsibility, but without a designated legal authority. This argument is supported throughout the text with reference to Agamben, Arendt, Barthes, Benjamin, Butler, Foucault, Lyotard, and Sontag.

The groundwork for this argument comes out of a discussion of France’s Declaration of the Rights of Man and the Citizen of 1789, paying special attention to the conscious separation of ‘man’ and ‘citizen.’ Azoulay turns to Olympe de Gouges’ Declaration of the Rights of Woman and the Female Citizen of 1791, noting the right declared therein of all governed people to address the government and to “participate in the political game” (43). The specific form of address she identifies is naming the father of a child—a very basic protection without which women are subject to a “twilight zone” of illegitimacy from bearing children out of wedlock. This system, left in place by the Declaration of the Rights of Man and the Citizen, protects men from being harmed—that is, being accused of acts of extra-marital sex or rape—while leaving women alone to carry the burden. In the case of rape, women are harmed twice to save men the indignity of an accusation.

The argument for the civil contract of photography depends on the thesis that citizenship is always problematic—that it is a project in development, rather than a natural or an acquired property, and it is always under threat and constantly being redefined. The problem is when it is being defined for people in exclusionary ways by the governing power. Azoulay argues that citizenship should not be defined by nationality or allegiance to a sovereign. Instead, she contends, citizenship is a relation among people in the community. “Citizenship...is an interface or point of contact between all of the governed and the government. It is nothing more or less. Anything that increases its value...or decreases its value is injurious to its sole function” (79). That function is the sharing of a common space for discourse and relations in which disputes and claims of rights can be made. This is at once more simple and more complex. Simple because it is based only on a shared community in a public, visible, and therefore, potentially photographed space. More complex because it does not outline in advance what rights will be protected. It promises that there will be conflicting ideas, and different ways of reading images, but at least it will be an open dialogue among people in their shared space.

¹ For an example that comes out of the tradition of Maurice Merleau-Ponty’s *The Visible and the Invisible* and which explores painting rather than photography, see Veronique M. Foti’s, *Vision’s Invisibles: Philosophical Explorations*, (Stony Brook: SUNY Press, 2003).

When citizenship is defined by nationality a community will necessarily have citizens situated alongside non-citizens, all of whom are governed, but some of whom are treated as exceptions to the rule. Being exceptions to the rule the non-citizens are more likely to be subject to disaster and left unprotected by the nation (26). The concepts of ‘disaster,’ ‘catastrophe,’ and ‘horror’ are ever-present reminders throughout this text of how many peoples’ lives are very close to being turned completely upside down. If some members of the community are more likely to be subject to disaster because of their non-citizenship or problematic citizenship, this threatens the civic status of citizens as well, because they too can be subject to arbitrary exception. That Palestinians are governed without citizen status is well documented by the images presented in the text. One can see that their claims are not being heard, and in many cases they turn expectantly toward a camera, imploring us to listen. This space opened up by the image escapes governmental regulation and provides an opening around sovereign power (135). But it “can serve as a regulative power” through the ethics of the spectator. The ethics of the spectator is when “the spectator is called to take part,” to take responsibility to “read the consent of those who are photographed,” to restore them to the addresser’s position, and reinvigorate the meaning of any emergency claims (143).

According to Azoulay, “[t]he exercise of photography...is actually the exercise of citizenship—not citizenship imprinted with the seal of belonging to a sovereign, but citizenship as a partnership of governed persons taking up their duty as citizens...”(104). One becomes a citizen through photography, not only by being photographed, but by virtue of being visible in a world where the photographic gaze is omnipresent, of always being potentially photographed. Photography, Azoulay explains, has always sought to capture everything. And this is a violent act of taking people who are ‘other’ and rendering them available to the gaze of anyone else without their consent (99). Being a citizen of photography does not guarantee fair treatment but creates a new space for retroactive moral reflection and dialogue.

While there are many images of Palestinians on the verge of disaster, Azoulay notes a conspicuous absence. Rape is common enough that it has become normalized through rape crisis centers—so much so, that their presence removes the sense of emergency, and the inevitable questioning that should be directed at a sovereign power unable to prevent such disaster from affecting so many of its citizens. We also know that digital cameras and photography are increasingly ubiquitous; so, Azoulay asks us, “has anyone ever seen a photograph of a rape?”

Certainly there are images of rape somewhere. Likewise, there are images of war crimes, torture, and genocide somewhere, but a sovereign power is threatened by the civil contract of photography if the gazes of those who are being injured were to be seen by the public. Azoulay compares this to the conspicuous absence of images in the sanitized media during the first Gulf War. She also reminds us that years later the first group of images that surfaced showing the torture of prisoners at Abu Ghraib were of the rape of women. But when these images were determined to have been “faked,” these photos along with 1,800 others disappeared (272-274). The state control of images is a testimony to their power.

Images disappear, and become invisible. Azoulay teaches us to look for images that are not there, but surely are somewhere, in order to make them visible to the public. The “faked” images of rape came from a pornographic website. Once the source was determined there was no further discussion of rapes of Iraqi women, and the commonplace images of Abu Ghraib depict the sexual humiliation of men. This is doubly troubling since images of sexual humiliation from an event in time became commonplace and the resulting concern

for the mistreatment of those *male* individuals left women out of the picture. Even women who have citizen status are nevertheless subject to arbitrary exception, and they have been rendered less visible, thereby continuing the threat to them without repair. Furthermore, it is false to say that images of rape are not available; they have simply been moved to the realm of pornography which presents the spectacle of rape as erotic rather than tragic, and therefore allows its viewers to claim that “no rape ever took place” (279). “Rape cannot remain in the dark,” Azoulay says; the taboo of showing images of rape “leaves the visual treatment of rape, with the dramatic decisions that involves, to porn sites” (280-281). But what constitutes an appropriate showing of such images is clearly problematic. Azoulay does not attempt to prescribe a manner or place, leaving those decisions for a future discussion that must take place among communities about the very nature of consent.

However it is used, whether to document with good or bad intentions, the photographic event introduces an opening. The nature of the frozen image makes it tempting to treat a photograph as having a single, closed meaning. Neither the photographer, the photographed person, nor the viewer of photography can determine the fixed meaning of a photographic image. Copyright law has traditionally protected the photographer as the owner of the photograph who deserves payment for its reproduction, but the photographer cannot control its meaning. In the same way that Azoulay moves the attention of citizenship away from ownership of property, the citizen of photography is not necessarily the photograph owner. Azoulay is paying attention to what is given in the image, particularly when meeting the gaze of the photographed person. She is attending to the possibility of the photographed being the addressor of a message and we, the viewers, the addressees. Dialogue begets responsibility, and taking action in the interest of the wronged party. A new beginning can only occur in the public sphere, and not when images are left invisible in the private sphere (185-186).

Photographs say more than what is immediately given to the visible, yet they occur within a context that always remains invisible, outside of the frame. This intertwining of visible and invisible in photography creates both a problem and a possibility. The problem is that the invisible cannot speak on its own, and anyone can take it up and make it speak, perhaps contrary to what was really there. Some might argue that this is what Azoulay has done: selecting images that conform with what she wants to say. One can also point out that this is what governments do: selectively promoting or removing photographs, or banning or permitting photography. In response to this, however, one must follow Azoulay’s demands to look. It is our responsibility to look, not just at the images she gives us, but *to look for more*. We should see the testimonies that are already out there. We should look for those that are absent. We should photograph what is happening.

The Civil Contract of Photography provides a method for *how* to research images and look for civil claims within them: look for ‘Palestinian,’ ‘Israeli,’ ‘American,’ or ‘Navajo.’ When we search for these people we are immediately given very specific types of events in the images. We can see that each group is given in a context. Then make the search more specific: ‘Palestinian woman,’ ‘Israeli man,’ ‘American immigrant,’ or ‘Navajo child’ and the stories within which these people appear stand out in very distinct patterns depending on their relation to the governing power. Azoulay helps foster a new sensitivity to the appearance of citizenship, which has helped me personally, living in the southwestern U.S. where European incursion has shaped the lives of Native Americans for hundreds of years, and continues today to be redefined around evolving patterns of immigration. In this area people from dozens of native tribes and dozens of Central and South American countries coexist under powers of governmental control but with varying degrees of civil status. People are labeled

'illegal' not just to target them, but in order to divide people who live side by side with them and who share goods and services in a public sphere. It is this division that Azoulay says threatens even the civil status of those who are considered citizens.

In the Introduction to *The Civil Contract of Photography*, Azoulay relates how the visual sphere inhabits our memories. She describes returning to a space, her home, and the memories, not just of events, but of social relations that are embedded into our memories and our lives. We are already inhabitants of images through our memory; photography expands our visibility making it a spectacle to others and ourselves. This is important to the nature of the civil contract of photography because it is through our embeddedness in the visual field that we are obligated to look, and to speak. This text and its images offer numerous openings for others to see more of what is there, to detect when images contain emergency claims, and bring them into the public space of discussion and recognition. The subjects of this book are difficult, and it is a difficult text; but it is well worth working through, filled as it is with very important testimonies of people otherwise caught silently in images.

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Citation Information

Goodwin, Matthew J., Review of *The Civil Contract of Photography*, *SCTIW Review*, March 17, 2015.
<http://sctiw.org/sctiwreviewarchives/archives/486>.

ISSN: 2374-9288