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journal homepage: www.elsevier.com/locate/polgeoPalestinian resistance and the fallacy of destituent play[☆]Neve Gordon ^{a, b, *}^a Dept. of Politics and Government, Ben-Gurion University of the Negev, Beer-Sheva, Israel^b Dept. of Political Science and International Studies, SOAS, University of London, Thornhaugh Street, Russell Square, London WC1H 0XG, UK

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Invoking two main sites of Palestinian resistance in the West Bank – Nassar's farm and the village Battir – Mikko Joronen argues that the everyday activities of Palestinian residents can be conceptualized as “destituent play,” a power that ultimately renders forms of Israeli control inoperative. Joronen's claim is based on Agamben's discussion of destituent power/potential (2013; 2014; 2015) which is, at least in some respects, opaque, but clearly echoes Walter Benjamin's “Critique of Violence,” particularly the distinction between mythic and divine violence. Whereas mythic violence preserves and constructs laws and is a force that establishes and sustains social order, divine violence is destructive of the rule of law as well as of the state's apparatuses (1978). Agamben strives to explicate the meaning of Benjamin's divine violence, writing that: “only a power that has been rendered inoperative and deposed by means of a violence that does not aim to found a new law is fully neutralized. Benjamin identified this violence—or according to the double meaning of the German term *Gewalt*, ‘destituent power [It., *potere destituente*]’—in the proletarian general strike, which Sorel opposed to the simply political strike” (2015, 268).

Agamben further explains that destituent power/potential has “the capacity to deactivate something and render it inoperative—a power, a function, a human operation—without simply destroying it but by liberating the potentials that have remained inactive in it in order to allow a different use of them” (2015, 273). Perhaps not

surprisingly, Agamben refers back to the New Testament as an example of this potential. “Paul,” he says, “expresses the relationship between the messiah and the law with the verb *katargein*, which means ‘render inoperative’ (*argos*), ‘deactivate’ ... Thus, Paul can write that the messiah ‘will render inoperative [katargese] every power, every authority, and every potential’ (1 Corinthians 15:24) and at the same time that ‘the messiah is the *telos* [namely, end or fulfillment] of the law’ (Romans 10:4): here inoperativity and fulfillment perfectly coincide” (2015, 273). One of the ideas Agamben is trying to convey is that destituent power that abolishes the existing order already exists as potentiality within the order itself. The messiah symbolizes the resurrection of this potential, and its fulfillment or activation leads to the deactivation of the order in which such power existed as a potential.

While Joronen adopts this theoretical framework, instead of invoking Agamben's destituent *power/potential* he uses the term *play*. Destituent play, he explains, is “not an act of childish games or powerless performance. Rather, it refers to the foundational ‘ungovernability’ of the form-of-life, that enables a mobilization of new uses and potentialities that can resist, suspend and deactivate the power and techniques of existing governmental apparatuses.” Joronen understands destituent play as a “peculiar logic of resistance – as a drive and play (ontologically) structured to evade, nullify and make powerless the practices and techniques mobilized by the settler colonial apparatuses.” He also notes that “destituent play does not merely show what it means to be ungovernable, but also how to remain as such.”

What, however, would this actually mean in terms of Israeli colonial violence and Palestinian resistance? Can destituent power/potential or even the transformed term destituent play help us understand what is transpiring on the ground in ways that other

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theoretical frameworks cannot? Do these concepts reveal something that would otherwise remain opaque? In what follows, I argue that neither destituent power nor destituent play is helpful for analyzing resistance in Palestine or in most other sites around the globe.

Joronen describes crucial forms of everyday resistance. He cogently observes that these struggles manage to create international awareness and solidarity, and this is, of course, of great importance. But he also says that the daily practices of resistance put the exclusions mobilized by the settler colonial apparatuses to a new use by playing with them, “by emptying out their sovereignty” Joronen provides several examples: “When no building permits were given, the family pitched tents and built premises underground; when running water was not available, they used tanks and collected rainwater; when no electricity was available, they bought solar panels; when the settler colonial apparatuses tried to make life unbearable on the farm, they activated social networks to maintain the farm’s activities.” These courageous practices (which, for Joronen, are manifestations of destituent play) supposedly eviscerate Israel’s sovereignty, deactivate the colonial apparatus and thus enable Palestinians to remain ungovernable.

Joronen’s claims *overreach the empirical evidence* offered in the article. My complaint is, however, part of a more general critique of the very notion of destituent play. Destituent play assumes that forms of colonial power (or any other state power) can, through a series of resistance practices, be deactivated, and that subjects can become ungovernable. This assumption does not really take into account the full significance of Foucault’s (1980) notion of *dispositif*, which I understand both as an ontological and an epistemic force; it not only denotes an array of interrelated forces that produce and shape reality, but also frames, construes and thus gives meaning to this reality and the relationships among the actors within it. Not unlike other apparatuses, the Israeli colonial apparatus is dynamic and constantly reinvents parts of itself as a result of the interactions of the different forces within it, including the resistance practices (Gordon, 2008). Hence, my first critique of destituent play is that it does not take seriously enough the complexity, force and dynamism of the colonial apparatus in Foucault’s sense. In my mind, the Palestinian resistance practices that Joronen describes and calls destituent play are an integral part of Israel’s colonial apparatus and do *not* constitute a threat to the existence of this *dispositif*.

Second, for Agamben the replacement of one sovereign rule by another merely reproduces domination and therefore his aim is to describe a form of power that undoes the possibility of reproducing sovereignty. I sympathize with this view but find it extremely difficult to articulate or even imagine a power of this kind that is also grounded in the empirical arena (more about this in the end). My difficulty here is that the notion of destituent play itself makes certain normative assumptions about sovereignty that might be antithetical to the views of Joronen’s Palestinian interlocutors or to other stateless people around the world. Indeed, I find it difficult to believe that the vast majority of Joronen’s stateless interlocutors would not want—if they had the possibility—to live in a Palestinian state under Palestinian sovereignty. Underlying the notion of destituent play is a problematic assumption that they would be willing to forego the privileges that the nation-state grants its subjects. Hence, in Kantian terms it is not only the *is*, but also the *ought*, that is not substantiated.

A third difficulty involves the web of power relations. While destituent power/potential/play are clearly part of the existing power relations, there is an unspoken assumption that this kind of power can somehow exit these relations. The terms ungovernability, deactivation, and inoperative all presuppose activities that are either outside the existing structures (i.e., ungovernable) or that manage to exit them (i.e., deactivate and inoperative). In a number

of instances, Joronen qualifies this claim and acknowledges that the Palestinian resistance described has not necessarily deactivated the Israeli colonial apparatuses, but rather “slowed them down.” I think that this portrayal of the situation is accurate. If the Palestinian’s living in Nasser’s Farm had not resisted Israel’s colonial rule they might have lost their farm by now, while the separation barrier would probably have been erected on Battir’s land if the resident’s had not mobilized against it. The “slowing down” claim presupposes that there is an interaction between the forces in the field and that each one shapes the other and in this way modifies the overall structure or apparatus. This claim, namely, that acts of resistance can potentially disrupt and alter colonial violence in various ways is, in my mind, more accurate both empirically and theoretically.

The problem, however, is that resistance practices that “slow down” modes of subjugation cannot coincide with the notion of destituent play. Slowing down means that certain juridical orders are delayed or that particular governing practices are relaxed. Yet, Agamben’s destituent power does not refer to “slowing down” existing governing systems, but rather rendering them inoperative. Thus, the theoretical idea that destituent play deactivates colonial apparatuses overreaches the empirical evidence, while Joronen’s qualification from one of inoperability, ungovernability, and deactivation to slowing down undermines the notion of destituent play.

Finally, unlike Sorel’s general strike and Benjamin’s divine violence, destituent power/play does not entail that radical change emerges as part a collective project. In order to underscore the novelty of his theoretical framework Joronen attempts to distinguish destituent play from the longstanding form of Palestinian resistance called *sumud*, which refers to the numerous strategies Palestinians employ to hold on to their land. He tells the reader that with:

all of its heterogeneity and vigor *sumud* grows from a shared cultural experience intensified and reformed by the emergence of Israeli occupation. It hence functions to maintain the Palestinian identity, not only through the resistance of settler colonialism and occupation but also through the shared sense of belonging and collective memory of loss. For Agamben, however, destituent power is neither a shared cultural experience nor ordinary weapons of resistance used by the subordinated social classes ... Though connected to them, destituent power does not result from exploitative class differences or from the cultural backdrop of shared identity ... [it] is not grounded in everyday life, but in the possibility to reform it and to use its potentialities against the colonial apparatuses (of constituted power) in a way that evades the pitfalls related to the revolutionary violence (of constituting power).

Insofar as this description is accurate, then destituent play abandons forms of collective mobilization, such as the ones witnessed during the first Intifada and assumes the effectivity of the individuation of resistance (Merz, 2012). I find this to be a major shortcoming of the concept both strategically and normatively.

By way of conclusion, and as I have already noted, Agamben explains that destituent power can destroy the juridical order as well as the structures and apparatuses that created it, adding that this power abstains from re-imposing a new governing structure and juridical order. The messiah serves as the prime example of such a power. The messiah, he tells us, has the potential to “render inoperative [katargese] every power, every authority, and every potential” (2015, 274); yet this figure is also paradigmatic of one who “is at the mercy of one’s own impotential” (2015, 276). The destituent potential for Agamben is dependent on its own impotential. It is not coincidental, I think, that Agamben cannot offer a

single empirical example of destituent power/potential; his theory of desituent power, as Antonio Negri (2012) points out, is ultimately “against any humanism, against any possibility of action, against any hope for revolution.”

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