
EMERGENT CONVERSATION

Joshua Clark*University of California, Irvine***Miia Halme-Tuomisaari***University of Helsinki***Tess Lea***University of Sydney****Being Like a State***

If the state was once regarded as the province of disciplines other than anthropology, those days are now firmly behind us. Much recent work demonstrates that anthropological modes of analysis and methods offer unique perspectives on how states are constituted and experienced as “real” by those who they govern. Yet it remains the case that considerably less is known about the lived experience of state-ness from the perspective of those for whom “the state” overlaps with the self. This was the starting point for the panel, “Being Like a State,” organized by Joshua Clark and Miia Halme-Tuomisaari for the 2014 Annual Meetings of the American Anthropological Association (AAA).

Panelists presented ethnographic material offering insights into the cognitive and affective worlds of public functionaries. In particular, the panel sought to consider, on one hand, how and to what extent these functionaries internalize “the state,” and on the other, how they infuse state structures and practice with their own subjectivities, values, and beliefs. Panelists also discussed contradictions that “being the state” may create for their ethnographic interlocutors: the tedium of tasks versus the gravity of missions; moments of identification and belonging versus rejection and disavowal; and the exercise of individual discretion and influence versus feelings of powerlessness and hierarchical oppression, to name a few. How do such contradictions affect public functionaries’ understandings of themselves as “self” and “other” in relation to “the state” and its projects?

The organizers of “Being Like a State” invited Tess Lea to serve as the panel’s discussant, recognizing her work – *Bureaucrats and Bleeding Hearts* (2008) in particular – as a notable contribution to the ethnographic investigation of many of the questions posed. The bulk of this reflection is an adaptation of Lea’s comments, which she delivered in response to the five papers presented at the December 5, 2014 panel.¹ Those who are interested may also access the

panelists' full abstracts, which are featured in the final section of this conversation. We have chosen to base this contribution to *Emergent Conversations* on the discussant's comments in order to reflect the current stage of what panelists hope will be a continuing dialogue. If readers feel that they are "coming into the middle of the conversation," we hope that this will serve as an invitation to join in, or to pursue, some of the open-ended threads and provocations captured here.

Many common themes bound the papers that comprised "Being Like a State." Not least of these was the presenters' focus on European Union or human rights initiatives, sometimes both at once. The papers also brought a shared concern with method and the question of what a researcher must do over that elusive ethnographic whole when she is left with only fragments. But above all, the panel spoke to the complex oscillations between anonymity and subjecthood and between structure and agency, concerns with which anyone dealing with ethnographies of the state must grapple.

The session began with Elif Babül's "Dramas of Statehood: Protocol, Cynicism, and Bureaucratic Intimacy in Human Rights Training in Turkey." In this paper, Babül discussed performances of state-ness among variously positioned Turkish officials undertaking human rights training, being congratulated for completing training modules, or conversing between sessions. As the Turkish officials learn what is required for the country to be embraced by the European Union, they also learn how to enact the state.

Babül's ethnography illuminated tactics of navigation and comportment, and the subtle ways in which mimicry and controlled displays of cynicism are also techniques of learning. When one stands in an ovation and others follow, the compulsion to do likewise is heavy. Not to stand would draw attention to oneself, something to be avoided unless making a deliberate statement. And, cynical statements, Babül showed, are reserved for performances of a different kind, when irony can also be a display of the flexible dispositions required of "good operators." One of the key traits being imbibed through these processes is in fact dispositional flexibility. The Turkish officials do not know if the whole EU human rights agenda is a passing fad or something that may later be held against them. They have to hedge their bets while also displaying their earnest uptake of the current protocols.

Some of these protocols – like obeying the hierarchical order of events and noting when these are transgressed – are generic. They are skills that can be carried into new situations, new content fields, without alteration. Others are more content specific and may have to be adjusted. Here we see cynicism enter as a practical device, not so much of critique but as a display of *savoir faire*, as a canny form of quasi-involvement that can, if necessary, later be declared as intentionally half-hearted. In her comments, Lea noted that cynicism is indeed a powerful organizational attribute, and that future ethnographic work on the state could make more of cynicism's "double-

edgedness” in particular. She cited Peter Sloterdijk’s (1987) *Critique of Cynical Reason* as well as Robert Jackall’s (1988) *Moral Mazes*, as good resources for thinking this through.

In Miia Halme-Tuomisaari’s “‘The State is One’: Performing ‘Statehood’ for UN Human Rights Monitoring Bodies,” it is anonymity and loss of personhood that put official state delegates to the UN at their ceremonial best. The fantasy sustained here is that human rights monitoring can indeed be done through carefully crafted, grand representations in which material considerations – the roles of multinational corporations, other international regulatory arrangements, competing authority structures, and, Lea added, the military-industrial complex – have no role to play in the decision-making of states. These are rituals of audit and oversight that entail acceptance of the idea that the state is the body standing in the way of fulfilling humanity. Committed individualism through wordsmithing is the proffered remedy.

Halme-Tuomisaari did not enter into micro-tactics of how these state effects are performed, as Babül did, but instead explored the ways in which the state’s grandeur is symbolically and structurally enacted. Myths of stateliness require exclusions. Securing access to study UN human rights monitoring processes is harder than the relatively tame subject matter would predict. Such gatekeeping gives life to state-ness: it declares there are secrets here that matter greatly, which, by being enshrouded, amplifies their imputed significance. Think the *Wizard of Oz*, or Michael Taussig’s (1999) public secrets.

Halme-Tuomisaari offered an account of how to create ethnographic inroads despite the impasses. Matching the mystery or vagueness of enclaved field settings with the methodological jettisoning of expectations of ultimate clarity opened new concepts. For functionaries to be like a state at the UN is to be simultaneously mundane and special. Lea posed the question of how over-preparation for hypothetical questions in UN forums – rehearsals that are intended to ward off the possibility of performance failure on the big day – play into the wider ritual enterprise of creating grand state effects. What is the role of personal shame in this context? Not wanting to be found wanting, as Lea put it, may propel much of the arduous work of preparing for events that are often arcane and immaterial given their high abstraction and forgettability.

Lea noted that this dynamic seems to structure the relationship between highly charged, personally invested preparation and highly impersonal event. If the possibility of transgression is real, then the possibility for ritual event gone wrong is also very real. Lea noted the intrigue in the relationship between the mundane backstage work of exhausting preparation, and the sacralized event that, when done well, does little (see also Halme-Tuomisaari 2013). This, she continued, is the beauty of a methodological approach – ethnography – which abandons the search for generalized meanings in order to pay attention to the importance of managing for happenstance in the inauguration of grand effects.

Joshua Clark's paper considered the contours of state "internalization" of international human rights commitments by examining Costa Rican policymakers. Clark is concerned to re-people the state, to again explore processes of self-socialization, but this time through charting how those charged with instantiating human rights obligations undertook their work, and how their tactics and rationales altered with their own altered emotional states. Lea considered this deeply important, saying that while it is a simple matter to insist that the thing we call the state is both spectral and deeply human, it is another to account for how affect and embodiment actually make a difference.

In particular, we learn from Clark's discussion of one participant, "Azalea," the powerful motivation of a mid-level technocrat in driving policy initiatives through to a minister's attention, as well as the deeply social effort that such pushing requires. Bureaucrats have all sorts of words for this – networking, alliance building, and so forth. Meetings, mini-meetings, tracking shifting hierarchies of status and influence, and even simply knowing the name of a particular individual who might open a door are the tools bureaucrats use to herd ideas through the labyrinth of their organizations. As Halme-Tuomisaari's paper pointed out, technocrats are sometimes so busy working to this end that they have no time for the ethnographer!

Clark's paper showed that the true believers, or the already-convinced, in Costa Rican state institutions initially see their task in quasi-evangelical terms: they must coax conviction from their less-committed colleagues. Later they come to see such emotional convictions as a weakness: they want impersonal processes to take the place of individual arduousness, arguing that otherwise the state's human rights obligations will always be personality dependent.

Lea described the methodological intervention here as being the pursuit of the ephemeral, emotion-laden labor of policymaking prior to its hardening into an event. Clark's paper captured the movement in which functionaries' personal exhaustion – months of paperwork, meetings, and political networking, including long days and weekends – transmutes into a rationality of impersonality: this level of effort will not be sustained by *them*. This movement shifts from zeal over (the idea of) rights to something slightly less personally invested, in which functionaries assume a friendly, open demeanor in hopes of making "the state" appear as "a friend" to rights claimants.

This approach reflects a compositional view of subjecthood that Ira Bashkow (2014:302-3) recently analyzed in the case of the private corporation. In it, a corporate "being" is conjured, represented, and endowed with a personality through its employees' embodied public and interpersonal performances thereof. Clark's interlocutors, however, soon abandon this approach, instead seeking to erase the state's subjectivity. Neither friend nor foe, it is simply the way things should be done – to make the policy that they are shepherding immune to personal passions. The shifts show relationships between structure and affect, which are ethnographically hard to capture but vital for

understanding how the state is able to present itself as depersonalized by the very people whose subjective labor hold the edifice together.

Greg Feldman's paper approached the relation between mundanity and spectacle, personal investment and impersonal rule, by taking panel attendees to the streets where undercover officers in an unnamed city hone in on a Europe-wide human trafficking ring. These policemen operate in the grey zone, using semi- to clearly-illegal actions to prosecute their own form of justice. Operating in the breach does not make them saints, and Feldman did not suggest that heroic actions disentangled them from a wider system of state policing that upholds the very economic inequalities that perpetuate clandestine migrations in the first place. Rather, his paper attended to the space between structure and affect with which the panel's other papers also grappled. Lea identified this as Feldman's explicit analytical problem: how do we reconcile accounts of structural inequality with phenomenology's demand that we attend to intersubjectivity, to understand the enabling conditions for joint political action? Without this reconciliation, our accounts of inequality will be stocked with automatons with no possibility for a breach.

Framed in this way, operating in the breach becomes an important ethnographic site in which to view the stitching of impersonal organizational edict and structured inequalities being combated, worked with, subverted and maintained, all at once. As Feldman argued of his case study, the curious part is how "the people whom the state endows with the power of violence are also the ones conducting ethical actions in the space of appearance."

This discretionary grey zone – as also named by Michael Lipsky (1980) – is the place where policy is enacted, where it actually comes alive, whatever the state or bureaucratic norms might be. Lea suggested that Joshua Clark's interlocutors might be reminded that this interpretive space, where people circumvent their rules and norms in the name of another collectively agreed ethical pursuit (here, saving entrapped girls), is also an essential requirement. Impersonality alone does not work. The rule of law is a cruel, bloodless affair without this interpretive nuance. Getting at this micro-world where actions and interpretations in the netherworld of rules is an important task for ethnography. It is also a longstanding concern of older techniques pioneered by ethnomethodologists such as Erving Goffman and those who followed – John Van Maanen's classic work on policing, for instance (see Van Maanen 1972; Manning and Van Maanen 1978).

Police partners collectivize interventions, which see them acting in their own terms and at their own risk. And, as other papers showed, the space of discretion is also the face of the state. Arguably, the state depends on such enactments and the distribution of liability that goes with them. If things go pear shaped, it is on the police officers' heads: they are acting with limited authority to maximize their authority after all. Yet case closures and the pursuit of intelligence requires that these corners be cut, that the norms be

subverted. It raises the question: if working in the breach is constitutive, is it then a tacit norm? And, is the spectacular “nab” the sublime moment that justifies the dull routines of watching, waiting, and tracking down mundane details? They make up the in-between of undercover cops’ long hours, similar to the work of bureaucrats preparing for the spectacle of the UN meetings.

Finally, Valerie Lambert’s contribution took attendees inside an institution headquartered not far from the site of the AAA meetings: the United States Bureau of Indian Affairs (BIA). More specifically, Lambert examined the workings of the BIA’s Branch of Acknowledgment and Research (now the Office of Federal Acknowledgment), in which anthropologists, historians, and genealogists evaluate petitions of groups applying for federal acknowledgment as Indian tribes. The BIA is unique among federal agencies in that 90% of its employees are Indians. In their work to apply the federal criteria by which Indian tribes are recognized as such, we encounter what Lea called an “inter-structural heartland” in which localness and sovereignty are re-read through the prism of refusal.

For members of the Choctaw nation, for example, sovereignty is nested and embedded within (federal) state-administered regulatory frames which, yes, are rooted in bloody, dispossessing histories, but nonetheless are essential to their ongoing structural project to assert and manage nation-hood. The Indians working in the federal bureau are not unaware of the complicity they are accused of when they decide who is and who is not an authentic Indian claimant. They too, like Feldman’s undercover cops, sometimes insist on making their ethics “appear” in public. In one instance, the Assistant Secretary of the Interior for Indian Affairs speaks against the historical legacy of the agency he represents, and suffers the approbation of doing so. This isn’t crafty cynicism, but more the ethical-thinking position for which Feldman argued.

Lambert made clear that new claimants to Indian identity cannot be admitted or denied without some kind of adjudication. She, like her ethnographic interlocutors, rejects a system that would do so on the basis of reified cultural displays. Writing an ethnography from multiple positions of insider-ness and outsider-ness, Lambert acknowledged that the work of bureaucratized recognition is fraught, even reviled; yet judging membership is essential to the persisting necessity of protecting Indian sovereignty. Sovereignty, as Audra Simpson (2014) states, pushes back on settler logics of elimination. Lambert’s paper showed that it is indeed disturbing to find anthropologists in cahoots with would-be Choctaw claimants. Like the international generalists who have appeared to play a similar role in other countries, their support reinforces a kind of liberal recognition based on a reified idea of cultural identity that tends to dematerialize the real stakes on the ground.

Together, the five ethnographically rich papers that comprised the panel offer suggestive analytical and methodological lessons for deepening anthropology’s engagement with the constitutive social, cognitive, ethical, and

affective fabrics of state-ness. As one audience member pointed out, these lessons may in fact extend to analyses of other types of corporate entities as well. One clear example is the private corporation, which over a century ago F.W. Maitland paired with the state as two species of a shared genus (cited in Bashkow 2014:301). Recent analyses of the legal, regulatory, and political effects of transferences of beliefs, characteristics, actions, and commitments between both types of corporate “persons” and their corporeal constituents indeed seems fruitful grounds for comparative analysis (e.g., Benson and Kirsch 2014; Bose 2010; Clark 2014; Tucker 2014). What broader lessons might we learn by juxtaposing the metaphors, imagery, and practices through which each is personified and personally enacted? We hope that future research will advance these and other lines of inquiry explored by the panel “Being Like a State,” and that this contribution to *Emergent Conversations* will be just that.

Notes

¹ Six papers originally comprised the panel. Unfortunately, unforeseeable circumstances prevented one scheduled panelist, Niels Nagelhus Schia, from traveling to the AAA meetings.

Panelists’ Abstracts

Dramas of Statehood: Protocol, Cynicism, and Bureaucratic Intimacy at Human Rights Trainings in Turkey

Elif M. Babül

This paper looks at performances of statehood at human rights training programs for state officials in Turkey, which are undertaken in line with Turkey's pending accession to the European Union (EU). Similar to other “contact zones” (Pratt 1991) that make up the EU accession process in Turkey, human rights training programs enable performative interactions between foreign trainers/advisors and Turkish state officials participating in human rights training programs. These programs contain both formal and informal venues of performance, ranging from inauguration events and final award ceremonies to role-plays and group presentations employed in the classroom.

While formal venues, such as press conferences, provide the representatives of Turkey and the EU with a platform to perform the protocol of transnational bureaucratic encounters, everyday interactions between Turkish state officials and foreign experts in human rights training programs present training audiences with the opportunity to act like the state. The audiences of human rights trainings employ various strategies to turn translation instances,

classroom discussions and group exercises into performances, through which they speak back to the foreign parties in the training. Furthermore, these situations are also employed by various functionaries as a way to mark their position and status among their peers, and to enact a condition of common sociality that defines the world of state officials in Turkey.

The “State Is One”: Performing Statehood for UN Human Rights Monitoring Bodies

Miia Halme-Tuomisaari

The never-ending cycles formed by international human rights monitoring practices culminate around particular moments of genuine engagement and spontaneity instead of the usual detached predictability characteristic of human rights bureaucracies. Or this, at least, is the significance given to the “Constructive Dialogue” that takes place in between states and UN Human Rights Treaty Bodies as a part of the latter’s mandate to monitor compliance with international human rights covenants. These moments, commonly taking place at the conference room of the Palais Wilson in Geneva, home of the UN Office for the High Commissioner for Human Rights, form a distinct performative genre where individual civil servants from different government offices come in front of “the international community” to “be like states.”

Above all, these performances are characterized by a sense of “oneness”: whereas the work of civil servants may “at home” be embedded in internal disputes over policy renewals or division of revenues, in front of UN bodies their performance represents internal unity and harmony. What kind of personal tensions and contradictions does this performance mask? What does it feel like to be a state in such moments? This paper explores these questions through the “Constructive Dialogue” on Finland’s 6th Period Report on the Covenant on Civil and Political Rights (CCPR) at the UN Human Rights Committee in July 2013. The paper builds on an ethnographic inquiry of human rights documentary cycles commenced in 2009.

How Deep the “Internalization” of International Human Rights Commitments? State Policies, Practices, and Persons

Joshua Clark

In 2005, Kofi Annan observed that international human rights had entered a “new era” in which the focus had shifted from articulating and codifying norms to implementing them. This shift has made clear that realizing rights requires states to do far more than abstain from overt violations. Human rights must not only be protected, but actively fulfilled by the concerted efforts of “vigorous, effective and accountable” states (van Boven 2002).

This paper explores how the work of forging such a state is experienced by actors who recognize themselves as part of the state, and “the state” as part of their selves. It is based on 10 months of participant observation with a group of Costa Rican government personnel charged with developing a “national action plan” for implementing international norms against racial discrimination. I track these mid-level officials as they grapple with how to translate the state's commitments to combat racism, ethnocentrism, and inequality into concrete practices. I begin with the question of which “actions” to include in the plan, but evolves into a broader self-critical, self-reflexive exploration of how to make the drafting process an “equal partnership” with indigenous and African-descent peoples, and ultimately, how state actors should embody the Costa Rican state's anti-discrimination commitments in their everyday professional and personal lives. I highlight in particular debates about whether the goal of “internally transforming the state” means altering state actors' consciousness and subjectivities versus creating the right institutions, protocols, and policies for “impersonally” fulfilling human rights.

“We Are People; We Are Parents; We Have Values”: Law, Ethics, Trafficking, and an Undercover Police Surveillance Team
Greg Feldman

When investigating cases of human trafficking, border police teams must gather evidence against suspected criminals. However, the legal means of obtaining that evidence are often restrictive. This places a police team in an ethical quandary. It must decide if and how to break the law in order to uphold it for the sake of trafficking victims. The stakes are high. A decision to do so has them forgo the legal constraints designed to protect a suspect's rights. A decision to stay within the law has them neglect a victim of trafficking who has little, if any, protection in the country.

Based on ethnographic research among an undercover police surveillance team in a southern EU member state, this paper examines the conditions encouraging this team to act illegally in order to act ethically for the victim. These conditions include their highly egalitarian organization, their deep familiarity with each other, their structural position in their larger home bureaucracy, and their capacity to see similarities between themselves and the people they investigate. Their actions in this regard cannot be explained as selfless altruism, but rather as efforts to maintain integrity in work that mostly goes unrecognized by others. To make theoretical sense of this situation, I blend Agamben's familiar notion of the “state of exception” with Arendt's notion, less familiar to anthropologists, of the “space of appearance.” These theorists can help explain how people operating in the absence of objective legal constraints can still refrain from acting with self-indulgence, brutality, or neglect.

American Indians and the State*Valerie Lambert*

Early-21st-century American Indians practice statecraft as leaders and bureaucrats of their own tribal governments. They also carry out agendas and pursue objectives as leaders and workers of the governments of the United States, Canada, Bolivia, Guatemala, and other countries. With a focus on ideas and actions in governmental spaces and structures within what is now the United States, this paper explores the opportunities and possibilities American Indian leaders and bureaucrats are helping create, as well as the challenges and constraints they are encountering.

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