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STATE VIOLENCE AND STATE CREATION IN HAMA, SYRIA

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by

Benjamin Fribley

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Abstract

State Violence and State Creation in Hama, Syria

Benjamin Fribley

The rebellion and its subsequent suppression in Hama, Syria in 1982 left the city ravaged and the Muslim Brotherhood broken. Critical theories of the state have displaced repressive violence in favor of productive understandings of power. Yet repressive violence has persisted as a political tool, as illustrated by the history of Hama and the Muslim Brotherhood in Syria. Studying the city of Hama makes visible the modalities of power deployed by the Syrian state—the state, for however many ways it has been demystified, still retains tremendous power over the spatial configuration and reconfiguration of territory. Using Walter Benjamin and Carl Schmitt’s theories of the state to examine the destruction and reconstruction of the city, I argue for the necessity of conceptualizing repressive and productive power as part of a single economy of power. Repressive power makes possible productive forms of power that produce, maintain, and reproduce subject. Turning to the political theories of Michael Foucault and Louis Althusser, I show that their theories of productive power are in fact predicated on repressive power. This insight into the relationship between the modalities of power expands our understandings of power, but also creates space for comparisons to other cities that have experienced violent modernization in the 20th and 21st centuries.

Acknowledgements

This thesis was researched and written more than a decade ago. However, due to a series of mistakes entirely my own, it was not properly filed. As such, it does not represent current scholarship, but rather something written at a radically different time in the world. Any incongruities or anachronisms are hopefully reflective of that period and my own youth.

I am immensely grateful to Megan Thomas, Roger Schoenman, Ben Read, Nathalie Espinoza, and others in the Politics Department and Graduate Division for their help in filing this thesis many years late. An embarrassing mistake, and I cannot fully express my appreciation for their help. I am also thankful for my colleagues, in particular Mark Lindbergh and Jason Cole, who handled of this situation with grace and good humor.

Rereading this thesis more than a decade later, it is staggering what has become of the people and places I loved in Syria. What seemed unimaginable at the time has broken Syria and still no one has been able to pick up the pieces.

Introduction

In a cruel foreshadowing of the present violence in Syria, the city of Hama in 1982 was subjected to an extraordinarily destructive siege by the Syrian military in order to root out Islamist groups that had liberated the city from Ba'athist rule. The assault killed, by some estimates, up to 38,000 people, and destroyed large swathes of the old city of Hama. The theoretical and historical questions this paper raises are painfully, viscerally apparent; as I write this, the Syrian government has rejected any efforts at negotiating an end to the current conflict and has begun a new offensive, having pacified Hama's neighboring city, Homs, and left it in ruins. The sins of the father are in fact the sins of the son, and the people of Syria paid the price. Or, perhaps Marx got it wrong—the first time is tragedy, and so is the second. This, of course, is not to claim that the historical situation in Hama is identical to the current one in Homs or cities across Syria. Nonetheless, the parallels are haunting.

In the intense violence in Hama in 1982, the party infrastructure of the Muslim Brotherhood was crushed, their leaders killed or exiled, their influence effectively broken (Seale, 85). The history of the Muslim Brotherhood in Syria in the early days is hardly clear, with historians unable to agree when it was founded or by whom, but certainly this marked the end of an era for the Brotherhood, and the beginning of a new one in Syria. This paper seeks to interrogate the violence of 1982 in a way that allows us to understand the emergence of this new era through the destruction and reconstruction of the city of Hama—I argue only a hybrid

understanding of the relationship between the state and violence is sufficient to account for the violence of the destruction of the city, and the violence of its reconstruction. The reconstruction of the city is an incident of particular importance because, for the first time in modern Syrian history, a regime was able to build a city in its image. The regime was given a kind of tabula rasa in a country where the age of cities is rarely measured in units smaller than centuries or more often millennia—this offered a unique moment in which it could leave its imprint. The manifold expressions of violence in Hama, however, expose a lacuna in our understanding of power and political violence. On the one hand, theories of the state and violence have focused on the agential function of the state in maintaining its hegemonic position—Max Weber’s famous argument that the state is the entity that maintains control over the legitimate function of repressive violence is nearly synonymous with this position. On the other hand, more critical conceptions of power have tended to take quieter dispensations of power as their object of study, focusing on productive power. The modern history of the city of Hama necessitates understanding both modes of power. The destruction of the city and its rebuilding represent a focal point from which our theoretical understandings of power can be refined. In this paper I argue that the theoretical importance of the rebuilding of the city is equal to that of its destruction, and instead of adhering to a theoretical position that seeks to define and delimit the state and its role, we must instead

attend to manifestations of the state that can take many forms but cannot be neatly delimited.

This paper seeks to establish a theoretical framework for understanding the violence in Hama by showing the ways in which the rebuilding of Hama and the relative stability of the post-1982 period were in fact marked by deep social violence. This violence came not at the barrel of a gun, but in seemingly innocuous changes in the urban and sociopolitical landscape of Hama, after the guns had done their work. I also seek to situate this question of the barrel of the gun—the assault on Hama marks an important moment for critical theory, where the question of the barrel of the gun has largely been ignored as theories of power moved away from Weberian or Maoist understandings of power as rooted in repressive violence. However, we must take seriously the repressive, violent power of the state if we are to show why the violence of peacetime is able to perniciously and efficaciously endure.

The purpose of this paper is not to provide a better description of the state, but to instead ask the question of, how does repressive violence make possible productive modes of power, and how do concrete instances of brutal violence force allow us to reconsider its role within a larger economy of violence? In what ways are repressive and productive power, thought to be mutually exclusive, necessarily intertwined? To answer this question I turn not only to the historical circumstances

of Hama, but also the theoretical work of Michel Foucault and Louis Althusser. Foucault and Althusser in very different ways attempt to displace the role of repressive power, but I will show repressive power is in fact integral to their theoretical work. Critical theory contains within it a theory of repressive violence, but rather than leave it latent within their theories, I hope to bring this tension productively to the fore.

Repressive violence in critical theory has been largely eschewed for two competing reasons. Marxist theory has analyzed and incorporated violence to the extent that violence is often understood as a tool of the capitalist working class. More critical Marxist theorists like Althusser attempted to distance themselves from this interpretation due to its unproblematic functionalism and determinism while Foucault, reacting primarily to theories of repressive power, argues the converse—that power produces and reproduces subjects. And yet I would suggest that the state as a repressive apparatus remains as an unwelcome residual in Foucault and Althusser. The theoretical position I hope to stake out attempts to mediate between these two positions, on the one hand repressive power, and on the other productive power. Rather than wishing away repressive power, I hope to situate repressive and productive power in an economy of violence such that they are mutually imbricated. Productive power is the violence of peace, but does not arise in a historical vacuum; it is contingent on relationships of domination that are established at least in part by repressive violence.

In order to reintroduce repressive violence to critical theories of the power, I begin with Walter Benjamin and Carl Schmitt to show how juridical theories of the state and repressive violence are also unable to fully apprehend this problem. Instead it is the tension within their theories of the state and of violence that are the most fruitful to pursue. The question of state violence cannot be circumscribed within the field of the law, as both Benjamin and Schmitt seek to do, but the question itself does reveal the stakes—for Benjamin repressive violence can have a generative function. Thus Benjamin is critical for laying the theoretical groundwork for understanding the way in which repressive and constructive violence work within the same economy of power. Benjamin's contemporary and sometimes-interlocutor, Carl Schmitt, whose theory of sovereign exceptionalism, while very much rooted in the strictures of the law, expresses an agonistic vision of politics that points beyond the structure of the state and the law (Schmitt, 6-7). Benjamin in his discussion of the law also points beyond the limited structure of the state. Foucault expresses a notion of agonistic politics that is much more useful, however his theoretical framework ostensibly eschews repressive power. I hope to show that an agonistic vision of politics as perpetual violence allows us to reincorporate repressive violence as a condition of possibility for productive power by using Walter Benjamin's argument that repressive power is in fact productive, and supplementing it with Foucault's much more developed account of productive power.

The thrust of this paper may seem curiously fraught with an internal tension;

on the one hand I seek to minimize the agential power of the state by turning to post-structuralist accounts of power, yet I insist the state, through repressive power, matters. In this seeming tension, I argue that the state matters not as a juridical edifice or a discreet actor but in its reflection of repressive power in certain instances, and in other instances the state comports much more neatly with post-structuralist accounts of power. The purpose of this paper then is to critically examine the historical circumstances of the destruction and rebuilding of Hama, but also to trouble strict accounts of the state. Approaching power in this way will assist us analytically in understanding historical instances of violent repression, but also open up a theoretical vantage point that troubles post-structuralist accounts of the relationship between power and subjectivity. Beginning with the city as the site of modern social contestation makes clear the stakes of the discussion, but also allows us to see the material instantiations and deployments of power without reifying the state.

The City

Studying Hama situates this theoretical work on power and violence within the problematic of the city. Understanding the violence of Hama at the level of the city allows us to see that Hama is not a *sui generis* case, but instead is one instance

of a larger theoretical problem in the modern economy of violence. The city has been understood as the quintessential site of modernization, a whirling, discombobulating milieu, the focal point of the industrial revolution, and the site of the emergence of the modern subject. But it has also been a site of intense strife. Consequently, the city as a site for theorizing social change has loomed large because it reflects in a very material form the modalities of power at play in the social world.

The problem of the relationship between violence, power and the city has long attracted theoretical work beginning, perhaps with Augustine, but Paris has attracted the attention of us moderns. Paris of the 19th century was the embodiment of modernity, which included its modes of sociality and contestation. Paris itself became a kind of metonymy for the 19th century, for the modernization of a city; as Nigel Thrift put it, “There is a spectre haunting social theory and that spectre is nineteenth-century Paris.” (Kang and Thrift, 12). Paris came to be understood as modern space in innumerable ways, not least of which was the fact that social violence configured the city itself. It was not until the 19th century that it became possible to imagine the city as a space that could be systematically reimagined with the organization of population in mind.

As Marx famously argued in *The Class Struggle in France*, Baron Haussmann widened the streets of Paris in order to more effectively utilize modern artillery. This

artillery would mitigate the recurring use of the barricade during working-class unrest, a technique that had been very successful in the past, and that could be broken only with the greatest effort. Barricades, faced with this new destructive power, were woefully overmatched and large-scale resistance on the order of the communes became a thing of the past. These technologies of resistance quickly became obsolete. Marx's instrumental vision of the reconfiguration of Paris may bear some certain truth; as Timothy Mitchell has pointed out, a biopolitical imaginary undergirded this project. The miasma theory of disease had not yet been entirely disproved, and the theory dovetailed neatly with existing class rifts in Paris. In addition to opening the streets to artillery, the widening of Paris's streets opened up working-class neighborhoods to sun, light, and fresh air, all of which were thought to play a critical role in fighting contagion (Mitchell, 65).

This instrumental version of Hama's reconfiguration does not square so evenly, however, despite some similarities. A biopolitical imaginary certainly was understood to have structured the responses of both the Muslim Brotherhood and the Assad regime. The religious and ethnic makeup of both groups, the Sunni Muslim Brotherhood and the Alawite Assad regime, served to make the conflict a proxy for the ethnic and economic resentment of the Sunni majority and the ethnic insecurities of the Alawites. With the rise of Hafez al-Asad, the ruling coterie became increasingly Alawite, effectively pushing out the Sunni majority. In addition to

marginalizing the Sunnis, the Alawites occupy a somewhat precarious position in relationship to Islam—many Sunni groups refuse to recognize Alawite practice as Islamic, and this became a flashpoint for the Muslim Brotherhood, who justified their revolt in part by claiming that they were ruled by apostates.

There is obviously a vast difference in the kind of biopolitical project underpinning the remaking of Paris and the remaking of Hama, but they do provide a kind of reference point. Was the remaking of Hama done on the model of Paris, whereby the city was instrumentally reconfigured to avoid future violence? I would suggest that it was not, for several reasons. The first was the nature of the conflict itself, which was already overwhelmingly violent—the technologies of war had changed. But more importantly, I would suggest the technologies of peace had changed as well. One hundred years later, the technologies of peace available to the disciplinary apparatus of the Syrian state had changed dramatically such that reconfiguring the city on the model of Paris was no longer necessary. If Paris was the site of a cruder 19th century form of modernization, as multifaceted as that might be, Hama represents another form of modernization that seeks to manage populations much more effectively than Baron Haussman could have imagined.

Understanding Hama in this way puts the reconstruction of the city into a larger conversation about the nature of the modern city, but also opens up fruitful avenues for comparison to other cities that were devastated and rebuilt. Cities like

Dresden, Berlin, Beirut and Baghdad are all, despite their very different historical situations, reflections of power in their configuration and reconfiguration. Derek Gregory, for example, argues that Baghdad has become a space for neoliberal biopolitical experimentation, a space that is predicated on the ravages of American occupation and civil war. Similarly, much work has been done to explain how Beirut, ravaged by sectarian civil war, has been reconfigured by a neoliberal elite into a secular space of consumption. The city in all of these of these instances is the point of articulation between repressive and productive violence, both of which worked intensively on the city and its inhabitants. Unlike Dresden, where the city was destroyed by an outside state actor, or Beirut, which was torn apart by an immense plurality of state and non-state actors, the destruction and reconfiguration of Hama occurred in a specific set of historical circumstances that show the extensive use of repressive by the state against its own population.

Historical Background

For many years the Syrian Muslim Brotherhood acted primarily through *dawa* (proselytization) in the post-colonial political system (Altman, 24), while taking part in elections following full decolonization and attracting modest support. In the years after World War II, the Muslim Brotherhood in Syria emerged as a full-fledged

political organization. In 1943 the League of Nations mandate officially ended, and in 1946 the last French troops withdrew. That same year, Mustafa al-Siba'i brought together the various Islamic organizations that had been loosely affiliated with another, forming the Syrian Muslim Brotherhood in its modern form. As in Egypt, the Syrian Brotherhood was organized in a federated structure and rapidly came to act as a political party, taking in more votes than the Communist or Ba'ath parties in the 1947 election. The Brotherhood in this time had come to think of itself as a kind of third way over and against the communist and Arab nationalist organizations that were vying for social and political power (Abd-Allah, 91).

With the rise of the Ba'ath party and the coup of 1963, the position of the Muslim Brotherhood became increasingly tenuous. The Brotherhood was outlawed in 1963, and between 1963 and 1970 the government carried out increasingly strident efforts to marginalize the role of religion in Syrian public life. These efforts sought to curb or altogether end the power of religious leaders, and restricted religious curriculum in schools (Maoz, 150). The Ba'ath party also nationalized many industries, which wreaked economic havoc on the urban middle class, which was primarily composed of Sunni Muslims who were sympathetic to the Brotherhood. In fact, Hanna Batatu, one of the great historians of the modern Middle East, makes the argument that the Syrian Muslim Brotherhood in its early days took root in the class of urban merchants and tradesmen, who were deeply connected to religious leaders (Batatu, 14-15). This meant that economic upheaval produced a class of

disaffected elites who were increasingly sympathetic to religious expressions of politics. A relatively ethnically homogenous Alawite clique of military officers dominated the government, and this system of ethnic nepotism still defines the Syrian government to this day. The Muslim Brotherhood in its rhetoric took full advantage of the liminal status of the Alawite creed in attempting to drive a wedge between the people and the government. The Alawites historically were marginalized and mostly confined to the northwest portion of the country, in the mountains and coast, until the coup dramatically changed the sect's fortunes.

That Ba'athist crackdown on Islam in public life quickly led to bloodshed. The Great Mosque in Hama was shelled by the regime in 1964 during protests against the secularizing policies of the Ba'ath Party, while in 1965 Marwan Hadid founded the Phalanxes of Muhammad, which became one of the most prominent militant groups. Hadid himself became a prominent figure in the Islamic resistance in Syria, and since his death has become the subject of a kind of hagiography, most recently on Jihadist websites. In these accounts, Hama is situated as *the* site of resistance to Ba'athist rule—" Muhammad al-Hamid said: "Are you saying this with a sane mind? Do you think that Hamah will remain silent against you if you execute Marwan Hadid? You will face unending problems!" (Azzam) While it is likely that these stories are apocryphal, they nonetheless reveal an important way in which Hama is taken

up in later discourse to serve as a site of ongoing resistance and martyrdom by the Muslim Brotherhood.

Umar Abd-Allah argues that the increasing oppression of the Brotherhood at the hands of the Ba'ath Party, along with a crisis in leadership within the Muslim Brotherhood, precipitated the move towards armed resistance as younger, more radical cadre pushed for more extreme measures. Nikolas Van Dam argues that the inter-Arab politics of the time played a substantial role in fomenting unrest. For Van Dam, ethnic tension was a primary motivator, urged on by the anti-Ba'athist propaganda of the Egyptian government of President Anwar Sadat, which, in its drive to marginalize the Ba'ath party in Syria, very publicly equated Ba'ath with Alawite (Van Dam, 93-95).

Raymond Hinnebusch echoes this argument in slightly different terms. For Hinnebusch, the process of consolidation of Ba'ath Party power saw the creation of a new privileged Alawite class, which antagonized and marginalized the urban Sunni merchant class that been ascendant for most of Syria's history, an urban class that Batatu argues is closely linked with the Muslim Brotherhood. With the rise of Hafez al-Assad, some effort was made to mitigate the damage done by the Ba'ath Party in the 1960s. President Assad went out of his way to appear publicly pious, but it was not enough to assuage the fears of Islamists and their sympathizers. Over the next decade, but becoming especially prominent in 1976, a younger faction within the Muslim Brotherhood stepped up attacks against the Assad regime in a terrorist

campaign that helped justify the perpetuation of the emergency laws enacted in 1963. The attack in February of 1982 came in response to a general uprising ordered by Umar Jawwad, guerilla leader in the terror campaign against the regime. Participants in the uprising quickly expelled local Ba'ath authorities and killed soldiers stationed in the city. The reprisal was swift and fierce. Rifaat al-Assad, the younger brother of Hafez al-Assad, was responsible for leading the counterattack, which destroyed the old city and brought about the death of thousands of Syrians. The destruction of Hama was not so much a singular act, although it certainly stands alone in its brutality, but rather was the culmination of a series of progressively more violent attacks and reprisals that increasingly looked like a civil war.

Violence and the Law

In an effort to understand the violence of Hama the destruction of Hama, I turn to Walter Benjamin who in his essay, "Critique of Violence" offers a provocative distinction between what he terms law-preserving violence and lawmaking violence. By parsing this distinction, we can see that these forms of violence are mutually dependent on one another in such a way that the state's role in creating and maintaining a nomos is thrown into stark relief. The repressive function of the state is the condition of possibility for the generative, administrative function of the state.

The distinction Benjamin draws between these two forms of violence lies in their functions but also their forms; lawmaking violence is executive or, as he terms it, mythic violence, which is capable of generating new norms. Benjamin argues that lawmaking violence is repressive, “bloody power over mere life for its own sake,” its function powermaking (248, 250). Law-preserving violence for Benjamin is the administrative companion to lawmaking violence, the violence that maintains the norm the lawmaking violence established (252). Both these forms of violence stand in contrast to divine violence, which Benjamin states is the power over the living for their own sake, the power to expiate, but is a form of violence that stands removed from, or outside of the law (250, 252). This divine violence for Benjamin is necessary as an intercessionary measure; because lawmaking and law-preserving violence are bound up with the form and prerogative of the state, they are insufficient as revolutionary forms of violence—they serve no cleansing purpose. Benjamin’s purpose is critique, and as Derrida argues, it is a critique in the truest sense. However, his distinction between lawmaking and law-preserving violence points to an important nexus between repressive and productive violence—they are jointly articulated. While Benjamin never explicitly articulates law-preserving violence as a productive form of violence, its administrative function must be seen in a similar light to Foucault’s notions of productive power. I argue that, for Benjamin, the repressive violence of the state is itself productive of a situation in which productive and disciplinary modes of power can be articulated. It is precisely this theoretical

junction Benjamin elucidates that we must preserve—disciplinary violence and repressive violence are bound together in an economy of power that cannot function without both.

I suggest that we can read these two forms of violence into the story of Hama, and put this economy of violence into productive conversation with other theories of power. The destruction of the city can be read as a vicious act of violence by the Assad regime that ushers in a new *nomos* with a new economy of violence, one that did require constant rearticulation, through repressive means until the unrest of 2011-2012. The administrative forms of violence Benjamin sees in the law would then maintain the new *nomos*; this is a particularly tempting interpretation given his understanding of the outsized role of the police, who wield an instrumental violence that is not encompassed by the previous three forms. The police for Benjamin had a power as “formless, like nowhere-tangible, all-pervasive, ghostly presence in the life of civilized states” (243). The spectral power of the police stands outside the law to a certain degree, as they manifest a power that necessarily is removed from the legal relationship of means and ends. That is, the police through their specific form of violence pursue a desirable end that the law, for whatever reason, cannot pursue itself, yet the end itself is desirable for the state (243). Put simply, the police pursue juridical ends through extra-judicial means. The *mukhabarat*, the Syrian secret police, would in this Benjaminian theoretical model be understood as carrying out essentially extra-legal activities that the state could

not legally pursue, while the administrative law-preserving powers of the state pursue the juridical ends of the state through its normal means. I am less concerned with the function of the police, and want to suggest instead that Benjamin helps us see the violence that attends the administrative function of the state, but also its necessity for the administrative state. His account of the police, however, is helpful in establishing relationships of power and violence outside the law.

This theoretical formulation raises numerous questions about the relationship between law and violence, especially as it applies to the case of Syria. While holding onto the critical observation Benjamin makes that there is a necessary relationship between repressive and productive violence, a number of issues present themselves. The banal question, “was it legal?” reveals a subtler question—what was the status of the law in Hama, and does the destruction of Hama reveal any relationship between the juridical relationships Benjamin describes? Are there in fact any legal criteria through which we can understand the violence in Hama? Does the category of legal violence (or violence bound to the law) have a relationship to the violence of Hama? If Benjamin’s purpose was to theorize the savagery that inheres in legal relationships, was the violence in Hama an expression of legal violence at all, or must we look beyond the law?

Before we can begin to evaluate Benjamin’s categorization of legal violence we must in brief understand the contours of the law, such as they were in Syria. Following the Ba’athist coup in 1963, Syrian governing institutions were invested

with nearly total, arbitrary authority. The constitutional and parliamentary provisions and processes designed to curb the authority of the state were overridden. Decree 161, which effected these changes, was finally repealed in 2011; the Ba'athist regime justified the perpetuation of emergency law by claiming that the ongoing war with Israel (neither a ceasefire nor a peace treaty has ever been signed—the only legal relationship with between the countries is the 1949 Armistice, which ended the 1948 war) and the threat of terrorism justified a state of emergency.

The answer to these questions might best be understood through Benjamin's contemporary and interlocutor, Carl Schmitt. Schmitt, who has enjoyed something of an intellectual resurgence since the beginning of the American War on Terror, argues that the nature of sovereignty itself allows for precisely this form of emergency law, which tends to become the norm. The exception for Schmitt is the sovereign abnegation of the law, the sovereign's prerogative that allows for the complete evacuation of the constitutional system—the law itself is suspended through the decision of the sovereign. The law then becomes unlaw—binding, arbitrary, and capriciously dependent on the will of the sovereign. Schmitt's theory of sovereign exceptionalism suggests that the violence of Hama cannot be understood as conforming to any juridical norm, but instead lies in the sovereign power of exception. The destruction of Hama from this theoretical perspective cannot be understood as legal or illegal, but rather belonging to a prerogative that

recognizes neither category. Seen from this perspective, Benjamin's understanding of the law becomes more complicated, perhaps untenable because the law itself has been evacuated of content—I would suggest, however, that Benjamin's theoretical work points towards this slippage as well.

For Benjamin, lawmaking violence guarantees and secures power (249). The sovereign exception to Schmitt is that which structures and secures power—the sovereign exception defines the topography of sovereignty. However, their conceptions of power remain seemingly different; for Benjamin law-making violence gives rise to a new nomos, while for Schmitt the exception itself is *the* nomos. As Benjamin put it, “there is a lawmaking function inherent in all such (military) violence” (240). Out of this contradiction we have the possible temptation of two theoretical perspectives, both centered on the law. Benjamin calls us to see new law that arises out of military rule, while Schmitt suggests that the sovereign exception is the very structure of the modern state. Both Schmitt and Benjamin, however, see this as generative, and Schmitt and Benjamin's concepts of power here are, perhaps, not as contradictory as they seem.

Derrida, in his critical essay on Walter Benjamin, *Force of Law*, argues that violence has a kind of performative force that acts as the ground for the emergence of a new nomos. Intense state violence is, “the moment in which the foundation of law remains suspended in the void or over the abyss, suspended by a pure performative act that would not have to answer to or before anyone” (Derrida, 36)

Seen from this perspective, sovereign violence itself is the suspension of the law, and the violence of lawmaking and law-preserving is itself the Schmittian sovereign exception. This point of reconciliation between Benjamin and Schmitt recognizes that sovereign violence obliterates the law while refounding it and conserving it; the very act of obliteration, however, points beyond the law. The sovereign exception is itself not legal in any strict sense, but instead operates in relationship to the larger political order, the nomos, rather than the law. This becomes most apparent in Benjamin's discussion of the general strike.

The general strike for Benjamin lays claim to the lawmaking function of violence, a form of violence that is nominally legal but is in fact not, hence the lawmaking intervention of the military (240). Particular, individual strikes are legal, but the general strike lays claim to a lawmaking power that is the exclusive prerogative of the state. The general strike is a tool that carries within it a radical potentiality to suspend the law and upend the nomos. The strike is a limited skirmish that changes particular conditions or addresses specific grievances. The general strike certainly upends the law, but it carries within the possibility of more. Benjamin, in a particularly messianic moment, argues that the general strike, because it lays claim to the prerogative of the state, is unable to overcome its own contradictions. This for Benjamin necessitates intercessory violence, a violence that stands outside the relationship of law-preserving and lawmaking violence.

Benjamin's discussion of the contradictory impulses of lawmaking violence is helpful in illuminating the theoretical stakes in understanding the role of the state in the violence of Hama, but it also casts light on the relationship between the Muslim Brotherhood and the state. The uprising by the Muslim Brotherhood, no longer confined to sporadic acts of violence, seeks to lay claim to the lawmaking power of the state; or, rather, the state understands the seizing of the city as making a claim to the lawmaking violence of the state. It is worth noting here that this conception bears a similarity to Weber's notion of sovereignty which is rooted in a monopoly over violence but is importantly different, in that Benjamin thinks there are certain social structures like the general strike that inevitably tend towards claiming a form of violence that has sovereign characteristics. In this instance, the claims of the Muslim Brotherhood to the city of Hama can be seen as analogous to the move from the strike to the general strike. The acts of terrorism leading up to seizing the city, and the seizure itself, can be understood in the Weberian mode as challenges to the legitimate sovereign right to violence; however, Benjamin's distinction is analytically more descriptive. It allows us to see the generative functions of sovereignty, but also its contradictions.

It is precisely the generative functions of violence that we are concerned with; Benjamin's discussion of lawmaking and law-preserving violence is provocative, but does not give us a rich enough account of the administrative or productive function of power. Schmitt's theory, while offering us a potentially

compelling vision of state violence cannot, and does not account for the violence of peace; it focuses on the exceptional, the spectacular, but that in itself is not sufficient. We must turn to the administrative function of the law and the state if we are to apprehend the period following the destruction of Hama. In doing so we must retain Benjamin's relationship between lawmaking and law-preserving violence, while radically expanding our understanding of the way in which the nomos is preserved.

Saul Newman, a contemporary theorist of power, suggests that these two forms of violence proposed by Benjamin are complicit with another—I want to take Newman's thread a step further and argue that they are not just complicit, but actually mutually dependent in a way that neither Benjamin nor Foucault (as we will see) accounts for (Newman, 571). Newman, drawing on Jacques Derrida, argues that terrorist violence “always threatens to expose the emptiness and indeterminacy at the base of the symbolic authority of the law and the state.”

I want to argue contrary to Newman and Derrida that this is a contested process full of potentiality rather than emptiness—terrorist violence can actually reify the state, or it can expose its indeterminacy. The violence of Hama, if it can be rightfully termed terrorist, opened new avenues for the expression of state violence. The suppression of the Muslim Brotherhood in Hama reveals the deeper imbrication of law-making and law-preserving violence—it is not the case that one form of violence simply gives way to another in a processional or dialectical process, but

instead together they shape the conditions of possibility for multiple forms of state violence. If there is an emptiness to be found within the notion of sovereignty it is not found in the relationship between law-making and law-preserving violence. Quite the contrary, it shows the power of the state at its most pregnant with possibility. The repressive function of power is never purely repressive but in fact a condition of possibility for generative violence. As Derrida notes, "...there can be no rigorous opposition between positioning and conservation" (Derrida, 38). Here I understand Derrida to argue that there is no sufficiently distinct division between lawmaking and law-preserving violence—they are so bound together that any true distinction collapses. The productive mechanisms of power that characterize the Assad regime following the destruction of the city were not accidental, but instead were structured by the possibilities generated by the city's destruction.

I am interpreting Derrida and Benjamin here to be making a statement about the larger organizing logic of politics, the *nomos*, rather simply the literal letter of the law. Violence is a condition of possibility for the reorganization of politics. This reading seems to be implicit in Benjamin's discussion of the general strike. The general strike succeeds not because it changes the letter of the law, although that is certainly an aspect of the project; instead it succeeds because it changes the larger political order. Even the mere language of a "revolutionary situation" implies something greater than a remediation of specific labor grievances. Reorienting Benjamin's vision of law-preserving and law-making violence away from the law as

mere code allows us to see the larger political stakes in his work. The larger social system, rather than just the law, is the focus of Althusser and Foucault's work—by reading Benjamin together with Foucault and Althusser, the economies of violence at work in their texts become more apparent, and using this insight, we can begin to interrogate the

Problems of the State

There is a lingering question rooted in the historical and theoretical context I've been exploring and that is, put simply, how do we theorize the state in Syria in relationship to Hama? This is an abstract question insofar as it asks us to continue reckoning with the status of violence and the state more generally, but cannot easily be accounted for with the notions of state violence I have outlined above. In claiming the regime is reconfiguring the city, we must look beyond the law in an attempt to understand how repressive and productive power work in concert with each other.

In "On Violence" Hannah Arendt rejects Mao's dictum that power arises out of a barrel of a gun, arguing that the presence of overtly repressive violence actually indicates a lack of power (Arendt, 11). This problem of the barrel of the gun does not figure explicitly in the theorizing of Foucault and Althusser, and yet the problem of repressive violence is never far from the authors' conceptions of power. My first question then is, how do these authors conceptualize the relationship between

violence and power, and can we reconcile the question of the gun with their emphasis on productive power? This question is all the more acute as the Syrian government is battering the cities of Homs and Aleppo as I write—repressive power as an empirical phenomena has by no means disappeared in our modern era.

The basic theoretical position that is taken these authors' works is that power operates through mechanisms that are not overtly or necessarily coercive, although that does not mean they are any less violent, especially for Foucault. These authors move away from the question of overt violence, agreeing in general form with Arendt's criticism of Mao—power manifests itself in ways that are not directly repressive or coercive. And yet, as the example of Hama shows, state violence has persisted historically; we have not entered an historical epoch absent violent, repressive power. I argued that repressive theories of violence alone cannot satisfactorily help us understand the historical circumstances of Hama, but I hope now to show that even theories of productive power are insufficient in themselves.

Mao framed the question by arguing that power arises from the barrel of a gun, hardly a subtle theoretical formulation. Overt coercion for Mao was the single most efficacious, if not the only, form of power. For Hannah Arendt in her work, "On Violence," the violence of the gun signifies the absence of power; to use a gun means that one has lost control. This fundamental tension is one I want to highlight in reference to Foucault and Althusser; each of these authors argue in their own way that power is exercised through non-violent ways, and yet it seems that both

theories are ineluctably marked by the barrel of the gun, pointing towards an economy of violence that interweaves repressive and productive violence.

Louis Althusser's account of hegemony and state violence in the essay "Ideology and the Ideological State Apparatus" has been used as a common Marxist means of explicating the state and the subject in late capitalism. His understanding of power, while focused on capitalist systems of class relationships, provides us with an important perspective of what power looks like for a ruling coterie. The institutional functions of the Assad regime, while hardly capitalist, bears more than a passing resemblance in form to the ruling bourgeois clique Althusser is concerned with. Fundamentally, while Althusser's account of power is inadequate, it does force us to reckon with the repressive power because, nested in his account of the subject in late capitalism, is a theory of repressive violence.

Althusser's point of departure is the traditional Marxist theory of the state, which sees the state as purely a repressive apparatus of the bourgeois; for Althusser contrary to much Marxist theory, the state is divided between Ideological State Apparatuses, and the army, police, courts and prisons, amongst others, which constitute the repressive component of the state (Althusser, 142). The distinction between an ISA and the repressive apparatuses of the state for Althusser lies in the form power takes. Repressive apparatuses operate primarily through repressive violence, while ideological apparatuses operate through ideology and interpellation

(Althusser, 145). These ideological institutions include the church, schools, the family, etc. None of these ISAs are purely repressive or ideological, but contain elements of both—for an ISA to be effective it has to contain within itself the threat of violence. The difference between a repressive and ideological apparatus lies in the unequal concentrations of repressive or ideological power, but also lies in their respective agencies. Repressive power for Althusser is much more concentrated, while ideological power is fragmented, dispersed across numerous institutions, and potentially contradictory (Althusser, 149).

Althusser's purpose in elucidating ideological state apparatuses is to explain the perpetually vexing question of how to explain the reproduction of the relations of production. This question leads him to a more sophisticated account of production of the subject, which was undertheorized by Marxist theorists. Curiously, however, he immediately in his explication of the subject falls back on the repressive apparatus he is so quick to problematize. Subjects for Althusser are interpellated, or hailed, by the various ISAs. This act of hailing, and its response by the subject to the hail, is the process of producing subjects for Althusser. Interpellation by ISAs produces, fixes, and makes legible a subject. The act of interpellation then circumscribes their capacity as agents, fixing them to producing and reproducing capitalist systems of production.

Althusser presents the act of interpellation as very much an ordinary street scene. At the risk of reading too much into a single example, a subject is called to on

the street, someone calls out “Hey, you there!” and, and the subject of the hailing turns, responding to the call. And yet curiously in Althusser’s example, the person calling ‘Hey, you there!’ is a police officer, a representative of the repressive apparatus of the state (174). Althusser argues that ideology hails all individuals as subjects, fixing them as both individual and subject, yet lurking in this example is perhaps more force than Althusser is keen to admit. If the repressive state apparatus carries about the act of hailing, what role is there for ideology but as subordinate component of state power? Althusser suggests later that “good subjects” find themselves constituted through the processing of hailing, while bad subjects draw the attention of the repressive state apparatus—“the vast majority of (good) subjects work all right ‘all by themselves’” (181). Althusser here seemingly decenters the state, but because the ISAs are so shot through with repressive power the distinctions blur—the ISA hails the subject, but seemingly in the voice of the repressive state, through the police officer. The barrel of the gun then is never absent from the most basic subject formation; ISAs are not absent their own kind of ontological violence in interpellating the subject, but are also deeply imbricated with repressive violence.

Foucault too rejects notions of repressive power--although the sublimated productive power that he argues in favor of is no less violent. He argues in *Truth and Power*,

If power were never anything but repressive, if it never did anything but say no, do you really think one would be brought to obey it? What makes power hold good, what makes it accepted, is simply the fact that it doesn't only weigh on us as a force that says no, but that it traverses and produces things, it induces pleasure, forms knowledge, produces discourse. It needs to be considered as a productive network that runs through the whole social body, much more than as a negative instance whose function is repression (Foucault, 61).

Here Foucault deals precisely with this juncture of the repressive and the productive, but what I want to suggest is that we are tracing a movement from the repressive to the productive, one that is never complete, but instead constantly works in tandem. Or, if we have entered an era of productive power then it is necessarily predicated historically on repressive power. The movement from the sovereign state to the modern, biopolitical state traces the arc of social violence, from overt to tacit, from the visceral to the disciplinary. One could see this argument as akin to Karl Polanyi's account of the emergence of capitalism and its norms, which depend critically on the wholesale dislocation of peasants; the violent disruption of the British peasantry and the fencing of British land should not be understood merely as the state repressing peasants in consonance with the interests of a new regime of property ownership, but instead shaping the conditions of possibility for the burgeoning institution of capitalism and its norms.

Rather than rehearsing Foucault's argument, I instead want to critically examine the question at hand—what is the status of state violence in Foucault's text, and what does violence bring to bear on the subject? I would suggest that

violence finds its ultimate expression in the city and the subject for Foucault, but that that we must augment his understanding of productive power.

Foucault seems to answer this question very clearly—“Wars are no longer waged in the name of the sovereign who must be defended; they are waged on behalf of the existence of everyone” (Foucault, 137). Violence becomes no less a manifest part of social and political existence, instead its logic shifts from the logic of the sovereign to the logic of cancer, or, rather, fighting cancer. Social contagions must be controlled at any and all costs, up to and including genocide. State violence undergoes a tectonic shift then in purpose, but also form. A social contagion is not conceptualized as consisting of an individual germ, but instead a population, or a segment of a population. In the earlier era of sovereign violence, state was is localized on a single body, the perpetrator of the crime, as in the case of Robert-François Damiens. The biopolitical power of the state is focused on a simultaneous movement of individuation and generalization as population. This movement disciplines the individual body, but only in relation to a larger species body (Foucault, 139). The question then is, does the violence of protection contain a disciplinary element, or is it purely a palliative measure? The answer is not entirely clear; Foucault conceives of biopower in the abstract as generative disciplinary function, part of a broader historical movement (Foucault, 140-145). Genocide plays a regulatory role in social life—it is generative of the social body, but what effect does this kind of violence have on the subject?

It is difficult to imagine that the violent spectacle of genocide, or even less extreme forms of biopolitical violence, do not have psychic effects that Foucault's conception of the modern subject is unable or unwilling to allow for. There seems to be a disjuncture here between *Discipline and Punish* and *History of Sexuality*; Foucault describes the gradual movement away from spectacular violence in *Discipline and Punish*, yet reincorporates spectacular violence in *History of Sexuality* seemingly without accounting for how it might affect the subject.

In *Discipline and Punish*, Foucault seems to articulate an economy of power under the Old Regime in which the psychic life of power plays a prominent role, one that must be restrained and redirected. The psychic life of power under the old regime seems more protean, and perhaps granted some limited forms of agency to the crowd (Foucault, *Discipline and Punish*, 53). It is precisely this contingency that is stripped out of the juridical system through processes of normalization. And yet, if spectacular, overwhelming forms of violence are retained in the modern system, is it normalized to the extent that it has no effect on the subject? Intuitively, we want to say no—genocide, to continue Foucault's example from *History of Sexuality*, has profound psychological effects, and has deeply affected modern subject formation. Using Foucault's framework, we would be quick to reject any notion that this violence could be repressive, but if it is productive, what is it productive of? This fundamental question about the nature of power that arises from the barrel of a gun is one that Foucault seems unable to grapple with because it is simultaneously

exorcised and reintroduced into his thought. At this risk of valorizing political violence, it seems to include a destabilizing element that disciplinary power necessarily had to displace, but cannot wholly do without. Both Foucault and Althusser, despite ostensibly rejecting overt, repressive violence find themselves in conversation with, and attempting to understand its relationship to their theoretical work. How then does Foucault's vision of the state and violence manifest itself in Syria?

Foucault in Syria

Foucault's vision of the exercises of power is constantly articulated along two axes—the organization of space and the organization of bodies in space. It is in this context that Foucault inverts Clausewitz's famous maxim, arguing that politics is war by other means (Foucault 64). Foucault's work bears this agonistic image of politics out most explicitly in *Discipline and Punish*, wherein he describes the emergence of the carceral society—the society modeled on the prison—and later with a different emphasis in *History of Sexuality* where Foucault theorizes the emergence of the biopolitical. Lisa Wedeen in *Ambiguities of Domination* argues strongly against characterizing Syria and Syrian society as a carceral society. Wedeen writes,

Syria, however, is a long way from the "carceral society" *Discipline and Punish* claims to discern in Western nations. The highly disciplined requirements of participation in the spectacle do not translate into regimented behavior in daily life. Syrians do not queue in line, for instance, like the British. Nor do they run their bureaucracies

with the impersonal efficiency of the French and the German civil servants. (Wedeen 19).

She goes on to argue, “...(spectacular) sovereign power can be combined with the panoptic, internalized disciplinary technologies...” (Wedeen, 20). Here Wedeen seeks to understand a slightly different phenomenon, the massive demonstrations and performances of devotion to the regime organized by the regime. It seems rather spurious to conclude that Syria does not comport with Foucault’s carceral society because its citizens don’t queue properly, and while my own experience with Syrian bureaucracy has been significantly more arduous than that of the French, Hama gives us an important opportunity to rigorously question the nature of carceral society and how it manifests itself in Syria. I am not concerned, however, with simply applying Foucault to Syria and insisting it is in fact a carceral society contrary to Wedeen.

I would suggest that the rebuilding of Hama was an opportunity for the Assad regime to experiment with new methods and models of social control, ones that don’t precisely map onto Foucault’s notions of carceral power, but are largely consonant with it—Hama rebuilt reflected new modes of power that were internalized by its subjects. The destruction of the city was the condition of possibility in a very material way for the emergence of a new regime of productive power that operated in more subtle, more pernicious ways.

What then, is Foucault’s carceral society, and how might this formulation illuminate the rebuilding of Hama? But just as importantly, how might it deviate

from Foucault's study of modern France? The carceral society is the sum of the technologies of power Foucault sees at work in the modern prison, but techniques that are by no means confined to the prison. Modern carceral power is expressed through "its institutions of supervision or constraint, of discreet surveillance and insistent coercion" (Foucault 299). What Foucault calls a "physics of power" is expressed through diffuse institutions like the prison, hospital or school, even the family unit (215). Importantly, however, Foucault recognizes the existence of a "carceral city" constituted by "multiple networks of diverse elements—walls, space, institutions, rules, discourses" (307). One is tempted to read his distinction between the plague-stricken town and the panopticon into his distinction between the punitive city and the disciplinary city (Foucault 129, 205). The plague-stricken town operates on a life/death binary in an extraordinary situation, whereas the panoptic model operates "in terms of the everyday life of men" (Foucault 205). The punitive city, like punishment under the old regime operates in and through a dichotomy between the life and death—the power to kill in the case of the sovereign, or the power to forcibly prevent death, in the case of the punitive city. The carceral city is the abstraction of the panoptic principle of the prison to the configuration of the city itself.

The reconfiguration of the city of Hama bears many of the marks of the carceral city, and must be understood as the silent war conducted under the guise of peace. The city of Hama does not entirely embody the principle of the panopticon, in

that surveillance is not centralized in precisely the same way, but one of the central mechanisms of domination is the production of a visible public, a public that becomes visible in its ordinariness. This was accomplished through seemingly innocuous changes in the urban topography of Hama. With the destruction of the old city center came the creation of parks and riverside cafes built around the ancient waterwheels present in Orientalist tourist literature for centuries, while the tourist industry itself became entrenched in this seemingly idyllic Syrian town. Critical to this effort is the surveillance that comes with public space, but perhaps more importantly is the nature of the space generated in Hama. The emphasis on parks, cafes, and norias (waterwheels) as public space par excellence also reveals an important aspect of these spaces—they are understood as secular spaces. In rebuilding Hama, the city was constructed around an idea of the secular that conditioned its production in space. The emphasis then in reconstructing Hama was on shifting social space from the mosque to the park, the square, or if it must be a mosque, it will be a mosque rebuilt by the government under the close observance of the *mukhabarat*.

The changes in the cityscape also worked at the level of the historical—reformulating the city's present was an attempt to remake the past. The historical artifacts that survived the onslaught were imbued with new values and reified in the public sphere. A secular history of the city was written that elided the events of 1982 by refocusing on the norias, the beehive houses (the traditional desert dwelling of

this region, transplanted to the city center and placed prominently in a park) and a large museum. It is here that the role of tourism was most prominent, prior to the 2011 uprising. Hama became the site of, if not a thriving tourist industry, enough of one to help support the local economy and undergird many of the structural changes occurring in Hama. Commerce then is enlisted in the violence of peace. The coherence of this refiguration of Hama's history offers one of the ways in which resistance manifests itself—Hama becomes fixed for both members of the Muslim Brotherhood, for whom Hama becomes an emblem of the violence of the Assad regime, while for the regime reconfiguring the city's history is critical in changing the topography of the city, and thus, the economy of power. The soul of the city, and its inhabitants itself became the object of intense state power, in being created, molded and remade.

Conclusion

Critical theory as a project has, by and large, systematically rejected repressive power as an analytically useful concept, focusing instead on the way that power produces subjects. This is an important move that decentered instrumental visions of power, and yet I have argued in relationship to Foucault and Althusser that both inadvertently offer a theory of repressive power. This tension can be productively brought to the forefront using Walter Benjamin's distinction between law-preserving and law-making violence. Violence for Benjamin is never exclusively

repressive nor productive, but instead is articulated in a dialogic relationship. Reading the political history of the city of Hama in this way can help elucidate what might otherwise be a puzzle for theories of power that assume it operates either repressively or productively. The period of relative stability following the destruction of the city cannot be explained merely through repressive power—as Foucault notes, the power to say no never in itself is sufficient. But productive power as an altogether subtler phenomenon is troubled by very real instances of repressive, violent power. The power to say no, to repress, then, is a critical condition of possibility for productive power. The crude material rearrangement of city by artillery shells and bulldozers provided the space, literally and metaphorically, for the exercise of productive power. Productive power, always concerned with the materiality of human life by virtue of its regulatory function, is often predicated on the material rearrangement of space that repressive power makes possible. Hence Paris of the 19th century is caught up in a double movement—cannons and biopolitical theories of disease, while Robert Moses’s remaking of New York City in the 20th century was at least in part a product, and rearticulation of, the systematic exclusion of racial minorities in American public life. Beirut, after decades of civil war and sectarian strife, has become a palimpsest in the hands of developers and financiers. The metaphor of a palimpsest contains within it the violence I have hoped to articulate—the violence of scraping clean a text and writing something new over it.

The repressive violence that makes possible productive power need not be an orgy of destruction, but very few cities are cut from whole cloth. Cities like Washington DC , Brasilia, and Dubai are the fascinating counterpoints, cities that were by and large willed into existence, perhaps purely the artifact of productive power. But for spaces that predate the modern expression of governmentality, violent erasure and reconstruction may be their ineluctable fate. Studying the city and the spatiality of power shows that the state is still able to exercise tremendous power over the organization and reorganization of space. The ability to organize and reorganize space operates at the level of the repressive and the tacit, but cannot be reduced to either. The state then is a discrete entity insofar as it has the ability to dispose of space, although space is never totally captured by the logic of the state, except perhaps in the moment of violent destruction.

The ability of the state to wield tremendous power over space, and the subjects caught up in it has been greatly understated by poststructuralist theorists of the state and of power. Both Althusser and Foucault find themselves unable to extricate overt violence, the barrel of the gun, from their work. Foucault argues in *Truth and Power* that the task of political theory is to cut off the head of the king; how then do we cut the head of the king off when the king stubbornly insists on having a head? Or at the least, retains a kind of vestigial head?

It is precisely this theoretical impasse that requires empirical work— elucidating the role of the state and violence, as well as its limits, necessitates

analysis rather than merely applying a theory to a situation. Althusser points us in the direction of the ruling coterie, an empirical problem I have been grappling with, thus far not reaching a satisfactory answer, while Foucault forces us to address the more subtle and normalizing expressions of power. The question of the barrel of the gun and spectacular violence is perhaps irresolvable within the framework of their thought—for Foucault if the subject is an effect of power, who, or what, is the subject that is produced in the most extreme expression of the biopolitical? This is a theoretical question that necessitates further empirical exploration, and it is precisely this aspect of the political situation in Syria that interests me. We should not simply accept that violence is the purest expression of power, but instead examine its position within a larger economy of power/knowledge and subject formation—violence is neither power nor the absence of power, but as Foucault and Althusser reveal, perhaps unwittingly, is a constituent element of subject formation. Reading Foucault in conjunction with Benjamin and Schmitt allows us to see that power does not merely arise out of the barrel of a gun, but is constantly indexed to it. Violence does not create power in a crude way or instrumental way, but instead molds and shapes the possibilities for its articulation. The seeming contradiction that I attempted to show in Foucault and Althusser is not in fact a contradiction then, but a tension within that can be resolved by turning to specific historical conditions and a more expansive understanding of the economies of power. Understanding this

economy of power spatially through the city and the subjects it produces allows us to critically analyze the role of the state in materializing this tension.

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