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Sex Tourism and the Ethics of Contingent Responsibility**Stephen Muecke**

University of Technology, Sydney

1. Sitting in the garden of the bar *Chez Angeline* in the perfumed island of Nosy Bé in Madagascar—perfumed literally by culture of the Ylang-Ylang flower—I was transfixed by the singing of a raggedy minstrel with a home-made *vahila*, the Madagascan guitar. It was a song of warning, about AIDS, and the words were as follows:

Vazaha Vazaha Vazaha
Malagasy Malagasy Malagasy
Hélas Hélas Hélas
...après le plaisir de l'amour SIDA il est là
Oh quelle chose SIDA
SIDA nous guette
SIDA nous cherche
SIDA nous trouve

Foreigner foreigner foreigner/ Malagasy Malagasy Malagasy/Alas alas alas/ After the pleasure of love is gone AIDS is there waiting for you/what a thing AIDS is!/AIDS is stalking us/AIDS is looking for us/AIDS finds us... (Solo: *The Music of Gaston Rakotondrasolo* 2003)

▶ [Click for the song \(MP3\)](#) *Size: 5.0 Mb. Download on fast connections only.

Pitched directly at us, the *vazaha*, sitting enjoying our cocktails, some with female Malagasy companions, this seemed to be a direct kind of performance politics. Where did the sentiments in Solo's song come from? Were they the voice of moral community? Did they have any connection with the government's campaign against sex tourism, the same one that seemed to have put large boxes of condoms in every hotel and bar in this tourist area?



Solo



Marcel



Hanta

Photos: Max Pam

2. While the AIDS problem in Madagascar is not severe compared to southern Africa (up to 0.1% compared to 20%), it is a potential problem as numbers of foreign sex tourists seem to be on the increase. The AIDS epidemic is a problem for individual nations and it is a global problem hitting third world countries, with less means to deal with it, the hardest. Introduced initially through global travel, it now needs global action to contain it. This action is no doubt both a governmental and an individual responsibility, and part of this discussion is aimed at dealing with the relative weighting of that responsibility. Governments, for instance, agree on international laws for the protection of minors and the extradition and prosecution of those who contravene these laws. In some countries health-education campaigns instruct people about the mechanisms for the spread of the disease and safe-sex methods for containing it.

3. But what of the voice of moral community, if indeed that is what Solo's singing represents? Does it have a place in the construction of a sense of moral responsibility as the song targets the affective make-up of *vazaha* and *Malagasy*, making them feel guilty perhaps, or indeed individually responsible? The words of the song set up the two groups as strictly separate, precisely as they sit there in their intimate and sensual, but transient, *community*. For what is remarkable about sexual tourism is that the intimacy which was once the mark of intensely private domesticity is now a large part of a global economy. It is out there, public, and generates income, as Houellebecq says in *Plateforme*. He writes:

So, I went on, on the one hand you have several hundred million westerners who have everything

they want, except that they can't find any sexual satisfaction: they are constantly looking for it, but can't ever find it, so they are profoundly unhappy. On the other hand you have several thousand million individuals who have nothing, who are dying of hunger, who die young, who live in substandard conditions, and who have nothing left to sell except their bodies, their own sexuality. It is very simple, truly simple to understand: it is an ideal exchange situation. And it's an unbelievable gold mine: bigger than the IT industry, bigger than biotechnology, bigger than the media corporations; no other economic sector can be compared to it (Houellebecq 2001: 252)

4. However, the voice of moral community as it has developed in Western discourses has the effect of creating *another* morally transcendent sense of community with a 'higher' purpose, a Christian redemptive one. This moral technology of transcendence depends for its functioning on the notion of *homo duplex*:

the Platonic anthropological premise that human beings have two natures—one a sensuous nature, which has us deal with the brute realities of life as it is experienced in time and space, the other a rationalistic nature, which not only has us deal with the world through the application of reason but also supposedly allows us to participate in divine reason and will. (Hunter 2001: 20)

Gary Wickham extends upon this comment by writing that:

Hunter says this Platonic anthropology was, crucially, the anthropology of German university metaphysics in Kant's time. Kant did more than learn it, however. It became the anthropological underpinning of his moral philosophy. In particular, just as it allowed German metaphysics to perform the task of ethical self-formation, producing in its adherents a vision of themselves as pure rational beings, with the capacity to overcome the weaknesses which flow from the 'other' side of human nature - the sensuous side - so it performed this task in Kant's philosophy. In this way the notion of transcendence through reason (transcendence of the 'lower' self, but ultimately of all matters empirical) is not only passed on to others, as a sort of ethical grooming, it is, as well, actively fostered in the self, through a type of permanent dissatisfaction, a will to critique. (Wickham n.d.)

5. The empirical researcher in me suspects that this is not where Solo is coming from with his song, that he is more the popular African pedagogue, the '*griot*' whose morality - if indeed that is the right word - carries an imperative force directed out to a public rather than for internalisation by individuals working on their own salvation. Nevertheless the moral technological apparatus exists in public practice and works to create a community of moral conscience, swirling around in the historical make-up of our European tourists, and it concerns us here. If the European is thinking at all, he might be tossing around various moral options: since I am not in my *home* community, what I do here on holidays doesn't matter; my wife need never know; local authority cannot touch me really (and we have seen evidence of debauches licensed in this way before), *but, but, but* ... since I now have a more *global* sensibility, I can internalise the need for responsibility as regards the spread of AIDS, thereby rising above or containing my baser urges and passions for the greater good of the world community. And maybe it is better to be a *sensitive* cosmopolite anyway, I will henceforth be more assiduous about the rituals of respect for difference.

6. I have reproduced here the kind of internal moral dialogue originating perhaps in Plato, further facilitated by the Cartesian split, and still with us in the form of a moral transcendental dogma. As David Saunders would remind us, this is a Leibnizian metaphysics, which implies that the application of an external law for conduct is not enough to restrain the unruly passions, and that a metaphysical application has to be applied, one which makes a person "internalise" the divine message with the apparatus of "conscience" (see Saunders 2002).

7. But before I go into the central argument of my paper, which suggests the application of legal and governmental responsibility stick to its limited domains and which *opposes* the notion of moral responsibility in all its forms, I want to develop the ethnographic background for this experimental work on Madagascar, experimental in that it tries out the concept of contingency (also see Muecke and Pam, forthcoming; Muecke forthcoming 2004; 2003) I used this concept as a guide in fieldwork method, but for the purposes of this discussion it is something that might help pin down 'responsibility' in a practical and secular fashion.

Contingency

8. Contingency is a word which exists in the margins of our philosophical thinking. It is by definition marginal, so in the commentaries on recent philosophical thought it tends not to get picked up. The word, contingency, is nonetheless made to seem, by Deleuze and Guattari, to be a necessary condition for philosophical thought. In *Qu'est-ce que la philosophie* they say

... there is certainly a reason for philosophy, but it is a synthetic, contingent reason—a meeting, a conjunction. This reason is not insufficient in itself, but contingent in itself. Even in the concept, reason depends on the parts connecting, which could have been other ones, with other neighbourhoods. The principle of reason, such as it appears in philosophy is a principle of contingent reason, and it says: the only good reason is a contingent one. (Deleuze and Guattari 1991: 90)

The word is also significant in the history of philosophy, which I need to go into briefly: there is a significant theological thread where only God is necessary, but people are contingent beings. There are paradoxes of contingency, such as the contingent liar, where a speech act like lying can only be realised as such once other contingent circumstances have fallen into place (eg; the statement, 'All Cretans are liars' when uttered by a Cretan).

9. But more important for my purposes is the work I want to make it do renovating ethnographic method for cultural studies. Now, if Deleuze is saying that the only 'good reason' for philosophy will come from *outside* philosophy, then we can see the value of ethnographic work as writing which is faced with the usual conundrums: do I write about the 'others' to make them seem more like us, or to maintain the strangeness? What work do I make figures of speech do: metaphors, defamiliarisation, comparisons, narratives? Deleuze recognises that there are 'pre-philosophical' domains out there somewhere; societies inhabited by 'figures' in a plane of immanence which *can* become philosophical under the influence of the concept (89). So the ethnographic encounter is the result of two deterritorialising effects, the 'absolute deterritorialisation of the plane of thought adjusting itself' to the 'relative deterritorialisation of the society'(90) in question, a connection which

might just provide the fertile milieu for something new. It might be philosophy, it might be something else, it all depends on my word for the day: it depends on contingencies. It depends on not systematically purifying the 'field' for a philosophy, or an anthropology, or a morality to come. No general systematic application of principle can guarantee philosophical thought, just as no systematic application of moral principle can guarantee good behaviour. Both endeavours run the risk of expending all their critical energy in acts of purification: rejecting that which doesn't fit. The contingent, which is each difference that could be a bud of new growth, or the productive connection between self and other, does not stand a chance.

10. The statements from Deleuze & Guattari come from the 'geophilosophy' chapter of *Qu'est-ce que la philosophie*, which encourages me to 'decolonise' philosophy. This means joining forces with the progressive tendencies of an ethnography which embraces alterity with a view to *distributing* rather than *centralising* the capacity for the production of knowledge. So John Rajchman's gloss on this part of Deleuze & Guattari is that they:

see philosophy as having—or as having had—no intrinsic 'home' or 'land' or 'civilization,' and that we might then rethink its geographies and borders in terms of an odd potential that keeps arising in different times and places, released through many circumstances and contingencies ... instead of origins, philosophy has only a 'milieu' or 'atmosphere,' favored by certain conditions such as those provided by the 'colonizing democracy' of Athens, which brought itinerant strangers into its agora to encounter Socrates. (Rajchman 2000: 40)

What kind of people are these itinerant strangers in the globalising world today? I have different types in mind for my Madagascan chronicles: there is William Burroughs the 'philosopher-pirate'. He is after drugs, has no respect for other cultures, plays fast and loose with the truth because he is writing fictions, and is all gooey about those little furry animals, the lemurs. There are the tourists, not normally philosophers, therefore devoid of concepts, but full of money. Their capacity to spend is the only relevant thing about them. But the sex tourist is a bit different, the corporeal desires they would have left at home in an earlier era are now part of the tourist economy, and a globalising prostitution comes out to meet them. There are scientists, including social scientists whose empiricism tends to proceed by way of necessity rather than contingency. There are the eighteen different language groupings in Madagascar with their internal tensions and customs. All of these figures are thrown into immanent fields where they must balance connections so as to enhance their own power of acting, as a Spinozan would say, and thus reach a desirable conclusion.

Rethinking *la femme Malgache*

11. On my first trip to Madagascar I carried a copy of William Burroughs' *Ghost of Chance* with me, and by chance I stay at the Hotel Indri on the first night. Burroughs's Captain Mission, the pirate-philosopher, I read in bed,

... had smoked opium and hashish and had used a drug called yagé by the Indians of South America. There must, he decided, be a special drug peculiar to this huge island, where there were so many creatures and plants not found anywhere else. After some inquiries he found that such a drug did exist: it was extracted from a parasitic fungus that grew only on a certain spiny plant found in the arid regions of the south.

The drug was called indri, which meant 'look there' in the native language (but see Hacking 2002: 174-178). [My hotel had a big mural of a lemur on the side, the species called indri, but Burroughs is a fiction writer, he can make things up] For five gold florins he obtained a small supply from a friendly native. The drug was in the form of greenish-yellow crystals. The man ... showed him, exactly how much to take and cautioned him against taking any more.

'Many take indri and see nothing different. Then they take more and see too much different.'

'Is this a day drug or a night drug?'

'Best at dawn and twilight.' (Burroughs 1995: 10)

I woke at dawn to the noises of the jungle, the ecstatic cries of an amorous duet in the next room. Could the Hotel Indri be a *hotel de passe*?

12. I start to learn things, I take a walk in the early morning and a young woman crouched in a doorway not far from the French Embassy shows me, with a big amused smile, a page from a porn magazine illustrating fellatio. I start to think travelling alone is not a good idea at my age. What I mean is, all the other middle-aged European-looking men in Antananarivo seem to be sex tourists looking for young girls, something the government is campaigning fruitlessly against. There is nothing for me to do in the evenings - the most interesting place is the cabaret at the Hotel Glacier, where they play local Malagasy tunes and popular rock covers and where the prostitutes continue to think that my refusal to provide them with their due income can only be due to some perversity.

13. My day to day work involves making contact with other researchers for the Indian Ocean project. When I came to pitch this project to the *chercheurs* (and *chercheuses*) of the *Institut de Civilisations*, and had offered them a special issue of the *UTS Review* (on the Indian Ocean) as a gift, they had to offer me in return a copy of their journal, *Taloha* ('Times Past'), the issue on 'Rethinking la femme Malgache'. The director remarks in a jocular fashion as he hands me the book, in front of the whole committee: 'I don't know if Monsieur has had the chance to *experimenter* any Malgache women yet!'

14. My only experiments have involved shrugging off the street women near my new hotel, in a classier part of town. This evening I am pursued by two, I say I have no money, then realise too late that this is some kind of admission, and their heels go click-clack-click across the cobblestones as they come after me again. 'Leave me alone,' I protest, 'what do you want?' 'We will do whatever you want, Monsieur,' one says with a little shimmy of her hips.

15. That night I dream that I am feeding my cat in a kitchen somewhere, and suddenly there are five or six black cats, coming in the window. One jumps up on my shoulder, as I lean away, holding the bag of pet food out of reach.

Beauty and Wisdom

16. In the course of the second trip, with Max Pam, it occurs to me to borrow philosopher Michel Serres' guiding angel, Hermes, for he is the messenger, the god of communication. He descends on winged feet, like us now, into Ivato airport to begin work on a book about Madagascar. But like Hermes we are thinking and moving too fast to be interested in the illusion of being 'immersed' in a culture. We are not planning to be anything like anthropologists: 'participant observers'. We are not thinking of two years of intense fieldwork as the minimum to make our knowledge 'rigorous'. Couldn't the thought that takes flight and wings its way like a carrier pigeon to somewhere else be worth as much, or even more than, the long book on kinship drearily repeating the language of Oxford? We have urgent messages to deliver, messages rhythmized by our own desires as much as those of the people we talk to. What agenda is being set for Madagascar, we ask, coming from *our* part of the world, and also, what agenda is *it* projecting outwards?

17. Like Hermes, we come and go, and we believe all others do as well (Clifford 1997). No-one is fixed in place and there can be no self-contained nation or culture, even if it is literally insular like Madagascar, for cultures can be nothing if not sets of relations of inside and outside, relations of past and future, relations between life and death. All these are things we will think about, write about and make images about as we travel like the younger Serres in the navy, like Conrad or Kipling ahead of us forging ways of travelling in writing and reporting while travelling. The messages fly out.

18. I turn to Max as we sit in the departure lounge and remark with a wry smile that I have a little guiding slogan for our work; we will be on the hunt for Beauty and Wisdom. I say this is the kind of thing one could say to someone we might meet leaning on the bar at the Hotel Glacier (I've mentioned my evenings at this notorious joint to him, from my last trip two years ago). That's if anyone should even ask (and, of course, they will not). But there you go: nice pictures, words worth reading, is that too much to ask? Max is wired.

19. We are both veteran travellers, addicted to travel even in the context of tourism becoming the world's biggest industry. Tourism creates the paradoxical effect of 'non-places' to use Marc Augé's (1995) term (every airline is McDonaldised, every resort is tropical-generic) coupled with the absolute necessity for *some* dosage of cultural difference. And it is the latter which breaks through the carapace of the former, as a simple gesture of hospitality or openness makes the 'whole trip worthwhile' for the traveller. But when they catch a glimpse of beauty or wisdom, it is, no doubt, also *in* the attitude they bring, which is one of self-invention on a trip. Stephen Greenblatt might help us here, were it not for his romantic dissolution of the subject:

Travel's estrangement-effect makes the external world not only more noticeable but more intense, just as poetry makes language more intense. The consequence is that the ratio of the self to everything that lies beyond the self changes: for a moment the world insists upon its own independent existence, its thingness apart from ourselves, and we are temporarily liberated from our own personal obsessions. This change in ratio—an increase in the objective exigency of the world, a decrease in the sovereignty of the ego—is why we often experience travel as a vacation not only from our surroundings but from ourselves. (Greenblatt 1996: 25-6)

We disagree, our subjectivities are intensely 'full', yet alert as contingency replaces the habits of home. It is something of a cliché to take 'every day as it comes' or 'embrace the unexpected', but this, nonetheless, is the procedure we raise to the level of a method as we 'surf' Madagascar for 'links' which are like windows opening (images being formed for a brief instant in a viewfinder, good words falling on one's ear) as we remain alert to the intuition which moves the eye to see, the ear to hear or the hand to become a creative tool.

20. We follow that wise mariner of thought, Michel Serres, our Conrad of the information age, in not using this hand meaninglessly or with the motivation to classify, to re-order or to purify. So as we sit out the back in a turbulent and fluid environment, waiting for the feeling of the swell rising under us and propelling us forward, demanding our skill and knowledge of the wave, we might remember his words:

One of the most beautiful things that our era is teaching us is to approach with light and simplicity the very complex things previously believed to be the result of chance, of noise, of chaos, in the ancient sense of the word. Hermes the messenger first brings clarity to texts and signs that are hermetic, that is, obscure. A message comes through while battling against the background noise. In the same way Hermes comes through noise, towards meaning. (Serres/Latour 2002:100, my translation)

21. Meaning is hardly everything for the travelling stranger. Responsible *behaviour* in Madagascar is outlined in the Lonely Planet guide, which has a few ethical rules (they call them *fady*, taboos) amongst which are:

Avoid speaking loudly, and if you are upset, don't show it.
Don't point your finger at anyone.
Never cast blame on the elderly, mothers or children.
Do not show your feelings, including affection for your partner, in public.
Enjoy hospitality, but know how to remain a dignified outsider.
Never interrupt a Malagasy when they are speaking. (34)

22. Unlike these ethical rules which roughly describe and adapt to the contours of actual behaviour, the poster from the Ministry of Tourism is a State initiative based on an overarching moral position. And further, its message seems unambiguous: 'Halte au tourisme sexuel!, Sexual tourism, No! Madagascar is watching you.' The gaze that is watching you is not the authoritarian stare of the police, but the paradoxical gaze of the woman who wants your business.

lapabe

23. Responsibility, many have argued, comes through sovereign power. We, his or her subjects, are necessarily (not contingently) responsible to the law, which flows through his or her inviolate body into the body of the nation. In my little study of sexuality in Madagascar,

then, I can hardly ignore this historical occasion when the rule about 'not showing affection in public' received a regal reversal.

24. When King Radama married Rasalimo, the Sakalava princess, in 1823, he revived an old custom which particularly shocked the missionaries in attendance. The scene was described by the French writer Laverdant, the works of the Marquis de Sade no doubt fairly fresh in his mind:

" In the evening, while the crowds besieged the palace, Radama, high on the balcony, gave a sign calling for silence..., then in the middle of a profound and respectful quiet of the multitude the king dropped one word, a single word. This word was immediately repeated on all lips, with a fearful tumult of laughing and piercing shouts, and at once, on the spot, the most fabulous orgy that could be imagined took place. There were perhaps two hundred thousand people assembled in and around Antananarivo for the royal marriage celebrations. It was a confused, universal mingling, the slaves with the free, the common people with the nobles; no one had a right to protest against the sacred order of the king, and General Brady himself had to endure seeing his wife carried off before his eyes without saying anything. Only the royal wives were excepted."

On the following day Hastie and the missionaries called on the king to protest. Radama, greatly amused by their indignation, explained that the *lapabe* was a custom practised on joyful royal occasions since ancient times. He laughingly promised that no more public orgies would occur. But a little later he forgot his promise in his joy at the birth of Rasalimo's first child, when the scenes of the wedding night were repeated (Brown 2002: 142).

25. At the end of the first volume of the *History of Sexuality*, having distanced himself from the sex and sexuality in which modernity- caught in nothing other than a deployment of power- believed it would find its own secret and liberation, Foucault alludes to a 'different economy of bodies and pleasures' as a possible horizon for a different politics (Foucault 1978: 157). With this in mind, we may be able to posit, then, an initial model of sovereign edict in the distribution of pleasures. What the king says, goes. Then there is the disciplinary society where this model is superseded by a biopolitics of power. In the current era, there is a 'different' economy of pleasures characterised by the undisciplined and amoral logic of the free market. To glance again at the situations I am describing, I don't think one can simply say that the sex tourist and the prostitute are part of any institutional arrangement of differential power. It is a biopolitics of wealth, not power, that is at stake in sex tourism: the power of the tourist lasts only as long as his money, the sex worker is seeking social advancement through money.

26. You will have noticed that my own application of contingency theory as fieldwork method involves welcoming the stray fact and refusing to purify data so that it fits into a picture of a community already constituted outside of my observing self. I have refused the steady anthropological gaze and its unification of a community of beings and data destined for export to the Centre. My method also makes explicit which books are in the suitcase and which technologies of representation are used, so while Max experiments with images I find I am using writing. In the literary sense, writing deploys an aesthetic technology which *invents forms of subjectivity* precisely as hinges which link ontological and anthropological modes: internal and external ones. So I have to experiment with writing to try to get it out of this literary double consciousness:

Street Life Nosy Bé

27. Hanta says, 'Eh! OÙ allez-vous, *Vazaha*?'

She is engaging, we turn back: 'Dunno, really', talking to her like that but in French as she squats almost on a low bench with a stallholder; were we wandering somewhere looking for a bar maybe?

She wants to know—we want to know—what drink, and she immediately suggests 'caparinas', and drags us into Chez Angeline. There seems to be no-one in the garden outside the bar.

—*Mais non, il n'y a personne, c'est triste...*

But how wrong, and the barmaids explain caparinas again, brown sugar crushed with lime segments (special wooden pestle), the local rum, and the bright loud music and introductions to the friendly ex-pat French owners. The bar staff are local girls and are central to the conversations *and* the fun, like it's a party and then Madame Cacahuète appears with her peanut basket on her arm.

Hanta, modest in her desires, will have one beer, and later with dinner just *crudités*.

Madame Cacahuète says that drinking plain THB (Three Horses Beer) will give you a bad stomach, but that the Gold is good.

And across the road, next to Natasha's gargotte, the aptly named 'Ocean de Sagesse. Chez Maman.' We lunch there for \$US 2, main dish.

The linguist says: Here a *crevette* is not just a prawn, but also a pretty girl, and wonders does that have the sense of the French slang, *crêver*, so now, could she be: 'to die for'?

Joe, 28, *pirogue* sailor, says all the girls are *putes*, they always want you to pay. 'I don't have a girlfriend now, I used to for about 2 and a half years. She was a *pute*, and when I said I didn't like her being on the game she said, *alors, si tu n'aime pas ça, barre-toi* ['nick off].

Hanta says that the aging blonde-streaks French woman who runs a certain bar [they all have ex-pats as owners or managers] was such a slut, when she arrived she slept with all the ex-pats, old guys as well, *and* 18 year-old Malagasy guys.

Joe, next day, worse for wear, is sitting red-eyed in front of a shop with a THB in front of him. He is the sailor back in port.

Hanta says she doesn't like the old *Vazahas* who exploit the under-age girls. She told one off, she said. She had to. He was drinking rum and beer in front of the young girl and even guzzled a coke, I

said, 'Eh! Pepe! Can't you see she is thirsty!'

Bruno delivers drinks, THB, Cokes, to Bar de la Mer, broken teeth and grooving to Bob Marley as he walks along with the crate of beer on one shoulder. He shows me a large packet of local ganga, only 5, 000 FMG, and later as I emerge from the toilet gives me a joint with the warning, 'discretement'.

Ah, c'est gentil, merci, je peux t'offrir une biere?

Oui, THB, grand modele.

And later from Bruno, 'what I really like is a good street fight'. But nothing like that here, not even a raised voice, except during the political troubles of Ravalomana's rise when from the street you could hear - apparently - grenades exploding and machine-gun fire. All sorts of businesses suffered then.

28. I read a report from Reuters of April 5, 2002, where Madagascar became newsworthy simply because of a combination of sexuality, politics and protest:

Naked Madagascar prostitutes plunge into politics

ANTANANARIVO — Madagascar prostitutes stripped naked to demand the lifting of roadblocks set up by supporters of the country's embattled president, newspapers reported on Friday.

A small group of women discarded their alluring attire on Thursday night to demand an audience with the governor of the port of Toamasina, where barricades have deprived them of clients and vital income.

Supporters loyal to Didier Ratsiraka, who has ruled the island for more than 20 years, have set up road blocks and blown up road bridges to starve Antananarivo of essential goods.

The blockades aim to undermine self-declared president Marc Ravalomanana, who has used massive rallies to seize control of ministries and take over the government, saying he was cheated of victory in elections last December.

Complaining that they were having trouble feeding their families due to a lack of tourists and other customers, the women hurled a torrent of foul language at the governor's office until he finally consented to meet them.

Media reports said governor Samuel Lahady eventually handed them Madagascar francs worth about 833 euros (\$733) to distribute among the 212 members of the prostitutes union in Toamasina, the main port on the impoverished Indian Ocean island. (Reuters 2002)

29. We dine at Tsy Manin ('No problem') run by a Frenchman who had to leave the Philippines in a hurry a few years back because he got a little too deep into the pearl business. At the next table a European gentleman is flirting with his companion, tickling her arms, she is giggling, she tries to tickle him in return. Maybe he isn't French (the older Frenchman is usually monumentally seated at his table ritually absorbed in his food and wine); he doesn't have that German reserve, and the twang of American English is rarely heard around here. They are not saying much, they are communicating by touch and smile. Where is this guy from?

Our last day at Ambatoloaka, there is a wedding and the strip is busy with cars and noise of celebrations. Hanta is at the beauty parlour getting done over, Max and I have a snooze on the beach after lunch. I wake to watch a little girl making a flower garden on the sand. A boy in the group teases her by throwing something at her. She frowns at him and has quite a few stern words to say, but does not raise her voice. She goes back to her beautiful garden, made of surplus flowers from the wedding.

Conclusion

30. In the context of the rise of religious fundamentalisms, and the mobilisation of faith in those wars concerning terror which are engulfing us, Agamben's statement from *Remnants of Auschwitz* - used as a keynote for this conference - seems itself to side very strongly with the kind of moral transcendence I have been implicitly arguing against. He is, I think, frankly religious in his refusal of the rule of law and his faith in a 'politics to come' which is always utopian and never defined. He says: 'ethics, politics and religion have been able to define themselves only by seizing terrain from juridical responsibility' (Agamben 1999: 20-21) He goes on to say that to 'articulate zones of non-responsibility' (i.e.: ones free of the law) in ethics, politics and religion means 'a confrontation with a responsibility that is infinitely greater than any we could ever assume. At the most, we can be faithful to it, that is, assert its unassumability'. (Agamben 1999: 21) But what is this infinitely great responsibility we must be faithful to apart from God?

31. Or as he writes in *Homo Sacer*: 'today a law that seeks to transform itself wholly into life is more and more confronted with a life that has been deadened and mortified into juridical rule'. (Agamben 1998: 187) Here, he joins that anti-statism which assumes that the state is an ideological apparatus trying to take over all aspects of our lives. (See Blandine Kreigel 1996)

32. The same problem of distrust of the law arises in Moira Gatens' *Imaginary Bodies*. In her discussion of murder cases associated with a perceived failure of Family Law to protect women from male violence, she readily cites public opinion as if it could or should have some bearing on the cases, and refers to a 'modern civil body' as an historical ideological formation which 'explicitly excluded women':

The historical relation of that body [the civil body] to women's powers and capacities has been one of 'capture' and 'utility' rather than one of 'combining' to form a 'sociability' or 'ethical community' between men and women. Of course, similar points could and should, be made concerning indigenous peoples, working class men and others.' (Gatens 1995: 120)

Now this account has no time for the Family Law Court as any jurisprudential 'step in the right direction' for protection of women and their rights, for it assumes reform can only come from the 'civil body' and the moral pressure it applies (for instance when the victim's sister complains to journalists that 'to accept Maxwell's plea of manslaughter would give "men ... like Brian Maxwell a *licence* to kill their wives" and the judge would 'appear[...] to agree' (119). One technical point here is that of course the judge should have no capacity under law to take into account the victim's sister's discussion with the press. And my theoretical point arising is that the law has to be impartial, impersonal and *specific* in function so that we can trust it, and without the voice of moral responsibility spreading like a cloud over any possible domain, as when Gatens says: 'Of course, similar points *could and should*, be made concerning indigenous peoples, working class men and others.' (my emphasis) The subject of this 'should' could be any pressure group which for whatever reason demands a voice: it is thus socially expansive and messy, it lacks the institutional constraints and procedures which inhibit the law from expanding haphazardly, and this voice must be quite rightly ignored when—in a recent scandal, for example—it insists on putting a stone tablet of the Ten Commandments in a high court building in the US.

33. Against this anti-statism, I am tempted to defend the democratic state with the words of William Connolly: 'A democratic politics provides the best way to incorporate the experience of contingency into public life.' (Connolly 1993: 159)

34. Thus, the responsibility which should not be assumed is the moral one which would ask us to invest our energies in such infinite intangibles as suggested by Agamben. I have argued that one can only be responsible for the tangible, what strikes us in the present and within the orbit of this secular world: you obey the law, and in your dealings with others your alertness to the contingent means that knowledge is generated *in situ*. This kind of undisciplined knowledge may find its way also into academic knowledges and disciplines. A challenge remains for them to demonstrate how their procedures of relevance (their purifying gestures) are not also 'merely contingent', as someone, in some place or time, decides that this or that proposition or fact is not relevant.

35. Finally, while the notion of moral community I have been arguing against can be seen reasonably clearly against the rule of law, with the first devoid of responsibility and the latter instrumentally and actively responsible, I still have to answer the question as to how, cross-culturally, ethically-charged *situations* cause the difficult notion of community to shimmer into being and disappear along different lines. I am happier with a transient and embodied community responding to a morally indifferent and external law. This is a Spinozan sense of community as further developed by Deleuze and Guattari, Gatens and Hage.

36. In relation to the sex trade of Madagascar, I have identified the community of prostitutes who went on strike because they could no longer connect with the community of clients, their contingent relation with the Ministry of Tourism and its 'Sex Tourism, No!' campaign, the global community of the tourism industry, and the law against sexually exploiting minors. All of these are contingent relations, only one of which is activated in regard to higher principles: the law, and its principle is one of care for minors.

37. Children are, by definition, 'irresponsible', putting the burden of responsibility on adults. The all-too-human and universal feeling of the love of the child seems to retreat from the realm of the contingent. We don't leave it up to chance to love our own children or to care for others' children. And so this almost universal moral principle is enshrined in laws to protect children. But when an irresponsible adult ignores the law, it is the law he or she should answer to, not the moral principle behind it. Despite their seeming universality, such moral principles are historically formed. They arise out of passions; people are revolted by child labour and prostitution, which still exist of course. The containment of such passions by impartial jurisprudential reform takes responsibility out of the hands of a self-proclaimed moral community which may conflate Law and Government and mistrust them both. Legal responsibility is necessary. By way of contrast, then, I have sought to identify a kind of responsibility distinct from the transcendent and judgemental space of moral principle. Instead, my concept of contingent responsibility emerges from everyday encounters where ethical calculations are made creatively in the conditions given and with the resources available.

Stephen Muecke researches cultural studies at the University of Technology, Sydney. Recent books are (with Gay Hawkins) *Culture and Waste: The Creation and Destruction of Value* (Rowman & Littlefield, 2002) and (with Adam Shoemaker) *Les Aborigènes d'Australie* (Paris: Gallimard, 2002), and he is working on *Contingency in Madagascar* with photographer Max Pam. Email: Stephen.Muecke@uts.edu.au

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