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Cosmopolitan Hospitality and Accented Crossing: Forging an Ethics of Listening with Lawrence Abu Hamdan's Artworks

1 In What Language? In Which Accent?

Imagine this: Even as a citizen of the world, you own something, or are thought to own something legally or culturally, and have to decide whether or not to grant other people the right to use what you have. Just because you are a cosmopolitan, it does not mean that you are exempt from the everyday confrontations with the ethics of inclusion and exclusion. The most immediate example is your home. It is late at night, bleak and dark outside. A stranger knocks at your door, asking to take shelter in your house. In principle, you are sympathetic and ready to help anyone that is in danger or needs help. But still, you hesitate: Would it be safe if I let him in? How long would he stay? Would he behave respectfully? You thus ask him a few questions before you open the door: Where are you from? What's your name? What are you doing here?

For Jacques Derrida, this image is the prototype for thinking about cosmopolitanism: it is where the concept of hospitality enters into the picture of the Kantian notion of the cosmopolitan right, and where pragmatic concerns contest and reconfigure the political ideal. Whereas Kant ideally grounds cosmopolitanism in the principle of universal hospitality, Derrida unpacks the tension inherent in the notion of hospitality, which is particularly manifested in the metaphor of the host and guest relationship. If an unconditional openness to the arrival and visit of the other is essential for the idea of universal hospitality, does this mean that the demand to know the other's name and country of origin—a gesture of hesitation on the part of the host—testifies to the flawed and impure practice of cosmopolitanism and hospitality? While pointing out that the Kantian notion of universal hospitality is nevertheless conditioned “to the political, to the state, to the authority of the state, to citizenship, and to strict control of residency and the period of stay,” Derrida, in an interview with Geoffrey Bennington in 1997, reframes the conditionality not in terms of a betrayal of the proclaimed universality, but as a necessity for cosmopolitanism to assume a realizable form:

I have to—and that's an unconditional injunction—I have to welcome the Other whoever he or she is unconditionally, without asking for a document, a name, a context, or a passport. That is the very first opening of my relation to the Other: to open my space, my home—my house, my language, my culture, my nation, my state, and myself. I don't have to open it, because it is open, it is open before I make a decision about it: then I have to keep it open or try to keep it open unconditionally. But of course this unconditionality is a frightening thing, it's scary. If we decide

everyone will be able to enter my space, my house, my home, my city, my state, my language, and if we think what I think, namely that this person entering my space unconditionally may well be able to displace everything in my space, to upset, to undermine, to even destroy, and that the worst may happen and I am open to this, the best and the worst. But of course since this unconditional hospitality may lead to a perversion of this ethics of friendship, we have to condition this unconditionality, to negotiate the relation between this unconditional injunction and the necessary conditions to organise this hospitality, which means laws, rights, conventions, borders of course, laws on immigration and so on and so forth. (“Politics”)

In re-conceptualizing hospitality and cosmopolitanism via the tension between the absolute and the conditional, Derrida releases these concepts from the harness of moral laws and imperatives, rejuvenating them with an ethics of encounter, the terms of which are to be invented and negotiated on a case-by-case basis. In this chapter, I aim to examine the tension inherent in the idea of cosmopolitan hospitality from the aspects of language and speech. Indeed, language matters when it comes to welcoming the other. “In what language can the foreigner address his or her question? Receive ours? In what language can he or she be interrogated?” (131), asks Derrida in *Of Hospitality* (2000). Notably, when he asks these questions, Derrida is concerned with linguistic singularity and assimilation, with familiarity and sameness, as laws that dictate recognition and solidarity.

What I address in this article, however, has to do with the law that urges the other to speak like the other and to demonstrate an “authentic” accent that testifies to one’s singular mother tongue. I begin with the case of language analysis, which is often loosely referred to as the “accent test,” used internationally since the 1990s in asylum procedures to verify and determine the countries of origin of applicants. I then further contrast the case with Lawrence Abu Hamdan’s artistic response to it—in particular, in his audio documentary work *The Freedom of Speech Itself* (2012)—in order to frame the inherent tension that stretches the concept of cosmopolitan hospitality in different directions, and to reframe the confrontation between determinable and calculable rights and the unconditional gesture of welcome in the sense of forging an ethics of listening.

2 A Native Ear: A Good Ear?

In daily conversations, we often take pleasure in speculating about a newcomer’s origin by his or her accent. It is entertaining and works quite well in terms of striking up a conversation. But how should one assess this pastime activity when it is formalized into a method for linguistic profiling? What happens when the juridical ear tunes into the speaking body, attentively listening to accents as traces and proofs of the speaker’s linguistic and national background? In response to the concern that the asylum applicants might make false claims in terms of their countries of origin in order to advance their applications, since the 1990s language analysis has been

used by the governments of Australia, New Zealand, the United Kingdom, Belgium, Germany, the Netherlands, Norway, Sweden, and Switzerland in asylum procedures to evaluate the language profiles of asylum applicants who present no documentary proof of their origins. Although the specific operating methods vary from country to country, language analysis in general consists of two stages. In the beginning an interview, in the presence of the asylum applicant, an interpreter, and an immigration official, is carried out and tape-recorded.¹²⁷ Afterwards, the recording is sent to analyst(s) and linguist(s), who compile the results of the evaluation into a written report which is later presented to the immigration department, where, as Diana Eades indicates, “it can form the basis of a decision about the granting of asylum, or where it can be one of many factors involved in making such a decision” (31).

Ever since the method of language analysis was implemented in asylum procedures, there have been heated debates over its theoretical assumptions and operating conditions. Linguists and practitioners of language analysis have to address questions such as: Can the borderlines of language varieties be unequivocally mapped and do they strictly overlap with the territorial borders of nations and regions? How reliable is speech and accent in verifying and determining a speaker’s national origin in a multilingual context? In 2004, an international group of linguists called the “Language and National Origin Group” (LNOG), drafted a set of guidelines aimed at regulating LADO practice (Language Analysis for the Determination of Origin) and assisting governments and legal professionals in deciding when it is appropriate to apply LADO (Fraser 116). The Guidelines respond to several concerns: First of all, the governments appear to rely too heavily on the test results, while disregarding the testimonies of the asylum applicants. Linguistic advice, the Guidelines emphasize, should only *assist* governments in making decisions about the applicants’ national origins (LNOG 261). Secondly, it happens that sometimes the duration of the recording can be too short to draw a conclusion, or sometimes the interpreter does not speak the language of the applicant. The Guidelines insist that on such occasions, or where the collected data are found to be insufficient or unreliable, language analysis should not be carried out. Furthermore, in order to guarantee the quality of analysis, the Guidelines explicitly demand that language analysis must be done “*only by qualified linguists* with recognized and up-to-date expertise, both in linguistics and in the language in question, including how this language differs from neighboring language varieties” (262; emphasis added).

In terms of the first two principles, there is little to dispute. But when it comes to the last one, opinions begin to diverge: Who—the linguists or the native speakers—should have the authority to make judgments about the applicant’s way of speaking?

¹²⁷ Eades mentions that Switzerland has a different approach to LADO. The interview is done “by phone by the linguist, who also carries out the analysis,” and the test result is considered together with other factors, including the applicant’s testimony. See Eades (32).

Whereas the Guidelines insist that native speakers lack appropriate expertise and scientific qualifications to perform language analysis, Tina Cambier-Langeveld, a forensic phonetician who worked for the Netherlands Forensic Institute for six years and has been employed in the field of LADO since 2005, challenged this view in a paper presented at a specialist Workshop on LADO in Amsterdam in 2007: “The risks when no native competence is involved in L[anguage] A[nalysis] [are that] a linguistic expert who is not a native speaker can never be expected to acquire a “native ear.” The *presence* of speech features is tested. The *authenticity* of these features is not tested” (qtd. in Fraser 117; emphasis in original). For Cambier-Langeveld, compared to the judgments of linguistic experts the judgments of native speakers are more reliable when it comes to whether certain speech features are genuine or fake, and thus should be appropriated as a valid and complementary form of knowledge. This proposal subsequently divides linguists and LADO practitioners into two opposing camps. One camp, whose prominent advocates are Cambier-Langeveld, Anne-Marieke Samson, Francis Nolan, Kim Wilson, and Paul Foulkes, recognizes the approach of drawing on trained native speakers—who should nevertheless be supervised by linguists—to carry out language analysis.

The other camp, in contrast, defends the current position of the Guidelines, arguing that native speakers tend to be overconfident about their folk knowledge and beliefs. Helen Fraser, for example, claims that:

[P]eople without extended training in academic linguistics are often ignorant not just about many aspects of language, but about their own ignorance, and so tend to put unjustified faith in their own ‘folk knowledge’. Linguists of all persuasions have been engaged for many years in fostering appreciation of linguistics as a discipline among other professions and in society at large (Hudson 1981), promoting the view that a ‘linguist’ is not someone who can speak several languages or knows ‘good grammar,’ but someone with advanced academic qualifications and professional expertise in the science of language—*equivalent to a chemist, psychologist or engineer*. (114; emphasis added)

It is clear that this ongoing debate is not merely about whether and how native speakers’ judgments can be efficiently incorporated into LADO. The real danger in handing over the right of language analysis to native speakers is, as Fraser implies, that it might discredit the field of linguistics as a whole. For Fraser, linguistic studies have experienced a hard time in being accepted as a valid branch of science; and the promoted differentiation between linguists and native or “good” speakers marked a watershed in this debate. If native speakers were to be permitted to interpret LADO data, this is the equivalent of saying that the knowledge and expertise of linguists is not exclusively “owned,” and cannot be effectively differentiated from the instinctive perceptions and understandings of the native speakers of a certain language. Whereas a chemist, psychologist, or engineer would seem to have acquired his or her scientific status rightfully, a linguist only becomes one of them after proving that with

regards to language he or she knows more, or at least knows it in a different way, than does a native speaker.

The possibility of having native speakers “transcend” their position of being merely research objects certainly touches a nerve in some linguists, raising anxieties about linguistics as a scientifically legitimate discipline. Ironically, Fraser mentions that one of the concerns about consulting native speakers in language analysis has to do with “the difficulty of defining “native speaker” in multilingual contexts such as those in which LADO is relevant” (117). If, indeed, the notion of a native speaker is difficult to define, then on what premises can anyone proclaim to give scientific accounts of a speaker’s national origin? If it becomes more and more unlikely that a speaker is exclusively “native” to one language and one mother tongue, how can one’s speech and accent unequivocally testify to a national origin and its essential relation to the speaker? Fraser seems to forget that the LADO method itself draws more or less on native speakers as ideal and stable representatives of a language, a community, and a region. The ambiguous definition of “native speaker” is good enough for Fraser to dismiss the role of native speakers in the practice of LADO, but does not seem to add any nuances to her conclusion that “[f]rom the point of view of linguistic science, LADO is an entirely reasonable pursuit” (Fraser 114).

It is worth noting that Cambier-Langeveld metaphorizes the linguistic competence of native speakers into a reference to the “native ear.” Leaving aside the ability to tell “fake” accents apart, Cambier-Langeveld relies on the body, especially the ear, to register and recall “genuine” vocal performances of “fellow native speakers.” Considered as the organic condition of speaking and listening, the native body is called upon here to delineate and enact an appropriate speech situation whereby the accent can be entrusted to be a faithful bodily register of the applicant’s citizenship. However, is a “native ear” necessarily a “good ear”—good in the sense that the competence of the tongue can be accurately transferred into sensitivities and nuances of the ear? In response to Cambier-Langeveld’s formulation, Fraser comments that this debate is indeed about “what constitutes a ‘good ear,’ how important a ‘native ear’ is, and how these ‘ears’ can be tested” (Fraser 133).

The rivalry between these two camps, at this point, clearly frames LADO as a listening technique that has been used in asylum procedures to construct accents as performative speech acts and to delimit the LADO context as a scientifically and legally reliable speech situation. This leads us to an accented speech situation, where the technique of listening interweaves state sovereignty and national ideologies with linguistic discourses. In a way, the practice of LADO can be seen as a modern version of the “shibboleth test,” whereas the old technique of using *catchwords* to reveal the alien tongue is replaced by a rather comprehensive evaluation of speech features conducted by expert linguists. By drawing upon linguistic discourses, LADO is able to claim that it listens professionally and scientifically, and can thus be rightfully deployed by governments and institutions to accentuate and reinstate national borders.

3 An Artistic Response: How to Graft a Nuanced Ear?

When Socrates, accused of being a skillful but deceptive speaker, was brought before Athenian judges, he pointed out that he was like a foreigner who did not speak the language of the courts, but was forced to use this language to defend himself. In fact, as Socrates explained, he was treated worse than a foreigner would have been in front of law, because “if I were really a foreigner [*ei tō onti xenos etugkanon ōn*], you would naturally excuse me if I spoke in the accent and dialect in which I had been brought up.” Commenting in *Of Hospitality* on Socrates’s words of defense, Derrida notes that:

This passage teaches us something else. Joly reminds us of it, as does Benveniste, whom I’ll be quoting in a moment: at Athens, the foreigner had some rights. He saw he had a recognized right of access to the courts, since Socrates assumes it: if I were a foreigner, here in the court, he says, you would tolerate not only my accent, my voice, my elocution, but the turns of phrase in my spontaneous, original, idiomatic rhetoric. There was thus a foreigner’s right, a right of hospitality for foreigners at Athens. (“Foreigner Question” 19)

Here Derrida interprets the juridical tolerance of one’s accent and voice as “a foreigner’s right,” and emphatically “a right of hospitality for foreigners at Athens.” If Derrida’s term “right of hospitality” largely conflates legal and moral terms—namely, “right” both as a duty and as the good thing to do—I suggest here that the right of *not* having one’s way of speaking implicates oneself in testimonies, for Derrida ties jurisdiction to moral demands while pointing out the juridical hospitality to the domain of language and speech.

Seen in this light, in exploiting the nuances of speech and accent to distinguish “bogus” and “undeserved” asylum seekers from “real” and “worthy” ones, the listening technique performed by LADO manifests a condition for hospitality that suspends the very common ground between law and morality. In an article entitled “Aural Contract: Forensic Listening and the Reorganization of the Speaking-subject,” Lawrence Abu Hamdan, a contemporary artist whose works often experiment with various and miscellaneous audio-visual forms and explore the relationship between the act of listening and politics, raises concerns over the listening practice of the juridical ear which, according to Hamdan, has undergone a radical shift from “simply hearing words spoken aloud to actively listening to the process of speaking, as a new form of forensic evidence” (201). Hamdan pinpoints the enactment of the Police and Criminal Evidence Act 1984 (PACE), which requires police interview rooms to be equipped with audio-recording machines, as the crucial moment that announced this shift. Although this code of practice was meant to govern police powers, Hamdan observes that the audio-recorded interviews are often used—not necessarily with the consent or knowledge of the suspect—for forensic phonetic analysis. Consisting of expert listeners who promise to listen well and professionally, this little-known field of forensic linguistics formalizes the legal practice of employing speaker profiling, voice identi-

fication, and voice prints to have the suspect testify (unknowingly) for or against his or her own testimony. This convergence of legal jurisdiction and forensic linguistics, Hamdan implies, has advanced the practice of forensic listening and radically transformed the speaking subject in front of law into a speaking *body*, whose act of speaking is split into the voicing of language and the voicing of body.

Listening to the body as a vocal expression, the law thus finds a way to frame testimonial accounts into acts of self-incrimination. In the same article, Hamdan traces the dynamic interchange of speaking and listening to the invention of the stethoscope in 1816—a medical instrument that allowed the doctor to listen to the inner sounds of the body and to communicate with the patient’s body directly (206). When tracing the medical practice informed by this new technology of listening, Hamdan tracks down a very compelling moment:

While listening to the lungs with a stethoscope, the patient is asked to say the letter “e.” If the lungs are clear, the doctor will detect the spoken “e” (“ee”) as sounding like an “ee.” Adversely, if the lungs contain fluid or a tumour, the patient’s spoken “e” will sound like a phonetic “a” (“ay”). The “e” sound gets transmuted to an “a” sound through the body. This “e” to “a” transmutation shows us the ways in which the voice becomes doubled in the medical ear and how one voice can produce multiple accounts of itself. (207)

The stethoscope, Hamdan argues, allows the medical ear to follow the passage of the phoneme in the body, and further encodes the health condition into a bifurcation of the vocalized sounds of the phoneme. Presupposing no meaning of its own, the spoken “e” is picked out to facilitate and amplify the audibility of the bodily idiosyncrasy. It is a distinct unit of sound that exemplifies how the body can stop making “sense” with its act of voicing, but is deployed *purely* as a sound device.

In light of this juridico-political shift to techniques of listening, Hamdan proposes that our critical engagement should accordingly “shift from a politics of speech to a politics of listening, where listening is understood as an act that produces the speech of others” (79–80). The question is, how can art and literature emphatically tune into this shift, mobilizing different and subtler modes of listening when it comes to speech varieties and accents? Hamdan’s artistic practices, which demonstrate a continuous fascination with sound and voice, seem to respond to this call with vigor. In his trilogy of *Aural Contract* (published 2012–2014), Hamdan extensively engages in the political use and abuse of techniques of listening. *The Freedom of Speech Itself* (2012) and *The Whole Truth* (2012) focus, respectively, on the use of accent tests by border agencies, and on voice analysis for the purpose of lie detection. Drawing primarily on the form of audio documentary, both works deliberately “deprive” the audience of the ease and habit of establishing a predominant visual relation with the art objects. It is as if vision and sound are always vying for attention, and the most effective way of accentuating the voice as an acoustic object and a legal and politicized phenomenon is to “protect” the eyes from a “compulsive” exposure to visual representations.

On one hand, in an era where visual images constitute the most persuasive—but at the same time highly deceptive—form of media, the influence of vision has proved to be rather dominant in formulating and sustaining any interpersonal, epistemological, and ethical relations. The ability of the eyes to bear witness to the “truth” often overshadows other senses, whose features of hearing, touching, smelling, and tasting are considered to be responsive to the other basic and non-intellectual instincts and perceptions. By retreating to the audio form even when videos are convenient and accessible, Hamdan demands that the audience “lend him their ears” so as to speak to them. Initiating the audience into an “aural contract” with his artworks, Hamdan channels one ear of the listener to the “truth” manifested through words, and the other ear to the “truth” registered in accents and voices.

To enable the audience to hear the “truth” in this dual form, I suggest that Hamdan’s works often deploy and activate two modes of listening, namely “semantic listening” and “reduced listening.” In *Audio-Vision: Sound on Screen* (1990), Michel Chion proposed three listening modes, each of which features different aspects of sound and gives rise to different listening experiences. “Casual listening” refers to the act of listening to a sound in order to identify its cause (Chion 25). “Semantic listening” is to listen for meaning. In this mode of listening, even if two pieces of sounds are not completely identical, they may be heard as the same so long as they do not interfere with the listener’s perception of the message (28). For example, the different pitches of voice involved in pronouncing the word “truth” do not, in most cases, lead to a different understanding of its meaning. In contrast, “reduced listening,” a term originally coined by Pierre Schaeffer, refers to the experience of attentively listening to the acoustical properties and sonic textures of the sound itself (Chion 29). In this case, the different pitches, timbres, and qualities of the voice are noted, which may or may not influence the perception of the sound in question. Whereas upon hearing a sound one is inclined to identify its causes and search for its meaning, it usually takes sustained intention and efforts on the part of the listener to focus on the sound alone. So what is this practice good for? Chion says, “reduced listening has the enormous advantage of opening up our ears and sharpening our power of listening. ... The emotional, physical, and aesthetic value of a sound is linked not only to the causal explanation we attribute to it, but also to its own qualities of timbre and texture, to its own personal vibration” (31). In other words, reduced listening trains the ears to distill the psychic and aesthetic effects from the sound itself; it is a practice of having the listening body vibrate in and through sound while remaining loyal to the medium itself.

While Hamdan’s works frequently appeal to the mode of reduced listening, it is often not aimed at awakening the audience to the aesthetic qualities of the voice. In the trilogy, the narrating and performing voices are distorted and estranged to various degrees, so as to widen the gap between meanings that are “neutrally” understood and sounds that are “accentually” heard, and to further investigate the role of the voice in legal and political contexts. For instance, in focusing on the application of accent and speech analysis in asylum procedures by the UK border agency, *The Freedom*

of Speech Itself brings together interviews and testimonies of lawyers, phonetic linguists and linguistic anthropologists, asylum seekers, Home Office officials, and the artist himself. There are no visuals to enhance the audience's identification of the people who are speaking in the audio. To make it more complicated, words and voices continuously interweave with and interrupt one another, to the point that different strands of thoughts and observations are fragmented into sonic clues to identify who is speaking and whose voice it is. Whereas the voices of the experts, officials, and the artist himself—no matter whether accented or not—usually sound calm and even (and are therefore hard to be immediately separated from one another), the asylum seekers can easily be distinguished by their rather marked English accents, “excited” voices, or “exotic” languages. The anxious and stirring emotions of the asylum seekers can, to the audience's ears, also be intensified because of the rough and coarse background noise, which is not there in most expert interviews. The background sound becomes a prominent medium that registers different levels of precarity and senses of security in terms of the living and working environments of asylum seekers, experts, and officials.

At one point, following a brief moment of chirpy and carefree background music, one hears only a constant and squeaking repetition of the “a” sound, as if the cassette tape is jammed. As the sound gradually fades away, a male voice (very likely that of the artist) impassively explains:

This syllable is the sound that provides the UK border agency with the alleged certainty of Muhammad's Syrian origin. They designate this vowel as a Syrian national, and imply that its use in the word ‘tomato’ is coterminous with Syria's borders. But locating this Syrian vowel in the speech of a Palestinian surely proves nothing more than the displacement of the Palestinians themselves. In other words, the instability of an accent, its borrowed and hybridized phonetical form, is testimonial not to someone's origins, but only to an unstable and migratory lifestyle, which is of course common in those fleeing from conflict and seeking asylum. Is it not more likely then that a genuine asylum seeker's accent would be an irregular and an itinerant concoction of voices, a set of a biography of a journey, rather than an immediately distinguishable voice that vows its unshakable roots to a single place? The fact that this syllable designates citizenship above a Palestinian identity card that contradicts it forces us to rethink how borders are being made perceptible and how configurations of vowels and consonants are made legally accountable. So, what is the legal status of our voices? What is the connection of our accent to our citizenship? Is there any law that stipulates how our voices should conform with our national borders? And can this phoneme renounce its citizenship? (*The Freedom*)

Throughout this segment of analysis, the repetitive utterance of the phoneme “a” stubbornly stays in the background, while the male voice evenly performs itself. Because of its irregular frequencies and amplitudes, it haunts the narrating voice—sometimes like a restless machine that malfunctions, and sometimes like a wounded and grunting animal. While the male voice stays neutral and nonchalant, as the rate of repetition slows down the background sound seems to add emotional tones (desperation and sympathy) to the voice's plea for justice. However, when the sound suddenly

accelerates and overtakes the voice, the shrieking sound constitutes a striking contrast to the even and unchanging voice, making one wonder in which sense one can expect the seemingly indifferent voice to do justice to the unrecognizable sound, and whether the knowledge that arises from these two different forms of voicing can ever be compatible. Calling upon the haunting effect of the sound itself, the monotonous repetition of the phoneme “a” prompts a mode of reduced listening that approaches phonemes as sound bites without meaning and signification. However, one hears meaning in the sound anyway for as long as the narrating voice continues to ascribe juridical and political significance to it. In this sense, it is rather the interpretive voice that haunts the sound of the phoneme, refusing to leave it alone to the realm of “pure” listening. The way that the artist embeds reduced listening in the mode of semantic listening metaphorically gestures towards the expert and bureaucratic approach to language analysis, which manufactures legally accountable phonemes by imposing a neutral, “truthful,” and authoritative voice of interpretation.

The question remains: To what extent can the artist claim to speak for those asylum applicants whose voices stay rough and raw, distant from that of the artist? Compared with voices of the linguistic experts and Home Office officials, does the voice of the artist necessarily hold more truth? When the pronunciation of certain phonemes does not satisfy the expectation of the juridical ear, is it the speaker or the listener that should be held accountable for the linguistic transgression of borders? It is here, I suggest, that this work becomes self-referential. Whereas the content of the audio documentary clearly frames the artistic voice as superior and closer to truth, the form of it questions the limits of its knowledge and adds nuances to what it affirmatively states. By accentuating the gap between what the artwork says and how it can be listened to, Hamdan translates the discrepancy between voice and language, which is emphatically heard in the asylum context, into the dissonance of form and content that makes his artistic expression open and unfinalized. This piece of work aims not only to inform the audience of the practice of forensic listening, but also to problematize it by “imposing” on the audience the similar kind of listening technique that registers the “truth” at various levels. However, unlike the expert listeners of language analysis, who are asked to navigate through conflicting revelations of speech and voice and to ultimately arrive at a single image of truth in terms of the applicant’s national origin, the artwork and the audience of the artwork are under no such obligation. In other words, if the juridical and linguistic ears are made to facilitate or force the accent to act out its borders and citizenship, the ears grafted by the artwork are precisely called upon to *suspend* the intended performativity of the accented speech. Whereas the heated debates on language analysis are meant to agree on and formalize a set of reliable conditions that render accents legally accountable for acts of border-crossing, Hamdan’s artwork, by mixing the voices of people from conflicting positions into a cacophony of fragmented “truths,” dooms to failure any attempts to delimit the “proper” context of language analysis.

Interestingly, when trying to adapt his audio documentary *The Freedom of Speech Itself* into the context of an exhibition, instead of merely dumbing the sense of vision to sharpen the audibility of the ears, Hamdan incorporates sculptured forms of voiceprints to create a dynamic audiovisual space. The voiceprints resemble visual representations of the frequency and amplitude of two voices saying the word “you.” The voices are materialized in the form of 3D map, which delineates the borders and territories of “you” demarcated by the addressing or hailing voices. Made from acoustic absorbent foams, these sculptures “suck” in sounds and voices that may flee from the footsteps of visitors, the private dialogues of lovers and friends, the occasional exclamations of children. Together with the audio documentary, the voiceprints convert the exhibition space into a giant abstract listening ear; whoever speaks unwittingly confronts the borders laid out by the anonymous call. Touring through the exhibition space, the visitors experience their presence as being both welcomed and rejected—welcomed because they are acknowledged as addressees and potential dialogue partners; and rejected because the sounds they make provoke no resonance. If indeed, as Hamdan implies, the current socio-political surveillance tends to appropriate an institutionalized technology of listening, and the political struggle should be more attentive to the politics of listening, this piece of artwork shows how art can critically engage with this shift by facilitating an awareness of the listening conditions that influence how our speech acts, and by mobilizing alternative listening modes that give rise to rather private and more nuanced ears.

4 Towards an Ethics of Listening

Inviting, receiving, asylum, lodging, go by way of the language or the address to the other. As Levinas says from another point of view, language is hospitality. Nevertheless, we have come to wonder whether absolute, hyperbolic, unconditional hospitality doesn't consist in suspending language, a particular determined language, and even the address to the other? Shouldn't we also submit to a sort of holding back of the temptation to ask the other who he is, what her name is, where he comes from, etc.? (Derrida, “Foreigner Question” 133, 135)

In noting that the concept of hospitality entails the negotiation between mutual and irreconcilable tendencies to both dispense with and subscribe to law and duty, Derrida, as it is shown in the passage above, questions whether the very practice of any languages would not instantly corrupt the regime of absolute and unconditioned hospitality which, as a consequence, dismantles the push-pull dynamics between the two regimes. Therefore, as Derrida implies, the language of total intimacy is to be found only in profound silence. Whereas Derrida conceptualizes cosmopolitan or universal hospitality in terms of the very suspension of language, the practice of language analysis in asylum procedures and Hamdan's artistic responses to it have

emphatically shifted the discussion of hospitality and language to the different modes and techniques of listening.

I want to emphasize that what Derrida says in the interview: “Hospitality, and hospitality is a very general name for all our relations to the Other has to be re-invented at every second, it is something without a pre-given rule.”—is equally applicable and significant when it comes to language (“Politics”). As the concept of hospitality dismisses any pre-defined terms, it calls for the elasticity of encountering and a fine attunement to the situation. Although the choice of a language and the staging of an accent can unwittingly trigger certain types of stereotypical projections and political sentiments, the act of speaking itself does not have to be the end of the matter. Hospitality is about the willingness to improvise and the confidence in goodwill: Even if my initial choice of a language might disappoint you like a misplaced note, the idea of hospitality can be restored by the practice of sympathetic and attentive listening; real hospitality, which emphasizes reciprocity and generosity, comes from the benevolent ears that listen to the echoes of one’s speech in the vocal valley of other people’s speech, and from the intention and effort to restore the trust and order through the dynamic interchange of speaking and listening.

The current and prevalent concern with language analysis is that it freezes concepts such as asylum, border, and hospitality in the moment where techniques of listening dissolve and reproduce the act of speaking, where the very deployment of the “refined” lingual forensic ears serves to map out the geographical and national origin of the speaker in question. If the LADO practice aims to delineate and formalize what J.L. Austin calls a “total speech situation” (26), where accents are construed to be performative in the sense that they are measured exclusively in relation to the mother tongue as the appropriate convention and the native speaker as the supreme authority, LADO and Hamdan’s artistic response exemplify the contrasting manners of performativity that accented speech can give rise to—one has the power to legitimize or delegitimize the act of border crossing, and the other showcases the vulnerability of body and voice. Most importantly, they point to a critical dimension of the speech situation that has been left unexplored; namely, how do techniques of listening interact with speech acts?

On the one hand, I suggest different speech acts solicit and engage with certain listening modes. Particular speech contexts often contain and manifest clues in terms of how an utterance can be best listened to. For instance, the theatrical setting of a show invites the audience to take the words of actors and actresses as bearing no straightforward relation to reality, whereas the formalized rituals of marriage bind the ears of listeners to the oath of the couple as genuine, factual, and consequential. Besides conventionality, many other factors—which can be as trivial as the speaker’s facial muscular movements or as unobservable as the listener’s knowledge of the speaker’s personality—are consulted, explicitly or implicitly, by the listener to decide whether what he or she just heard should be taken as joke or an insult, as meaningless babble or a serious promise.

On the other hand, not only is the listening mode informed by suggestive features involved in speech situations, but it also intervenes in speech acts via *a priori* knowledge, discourses, beliefs, and techniques. *How an utterance is listened to may form the very condition of how the speech acts.* I want to suggest further that this dimension of listening adds a degree of nuance to the credibility conditions governing speech acts, by showing that the principle of sincerity and intentionality, construed by Austin as an audible “fact” that is consciously stated by the speaker, might also be an effect of a biased and modified listening. Be it accented speech or hate speech, if they are able to convey and do anything at all the effects are never achieved once and for all. The force of speech acts is not constituted solely at the moment of utterance; it can and should be seen in terms of how different forms of speech mobilize certain dynamics of speaking and listening, and how techniques of listening may transform or temporarily “finalize” intended speech acts.

In his essay “Bearing Witness or the Vicissitudes of Listening,” Dori Laub, a clinical professor of psychiatry and a practicing psychoanalyst, calls attention to the importance of compassionate and empathetic listening as *bearing witness*—a welcoming gesture that lays out an ethical and critical ground from which holocaust testimonies can emerge. “Bearing witness to a trauma is, in fact, a process that includes the listener,” writes Laub, “For the testimonial process to take place, there needs to be a bonding, the intimate and total presence of an other—in the position of one who hears. Testimonies are not monologues; they cannot take place in solitude” (70–71). Here, in a different context, the very possibility of speaking is considered to involve and even depend on the practice of listening. Words await in silence and in white noise for the right ears to register the passion, desire, and suffering of the speaker. Does this mean, however, that in order to be heard one’s speech has to predict the ethos of the ears and to comply itself with the listening mode in use? If testimonies and accented speech are to be understood in terms of speech acts, and if appropriateness is central to what Austin proposes to be the credibility conditions of the performative utterance, doesn’t it eliminate the possibility of speech to go beyond the boundary demarcated by the listening ears? What makes “leftover speech”—speech that fails to be contained by the ears—audible and affective? How does one tune the ears into a specific listening mode when the speech itself presents no straightforward frames of reference, and thus cannot be assessed in terms of reliability or efficiency?

These questions point to the inadequacy of fashioning an ethics of listening and a theory of hospitality solely by reference to speech act theory. Seen in this light, in a way LADO embodies both the danger and allure of marrying the technique of listening with accented speech acts. The consequence of listening to speech as acts—or more precisely, as acts of crossing and evidence of citizenship—is the very annihilation of the expressiveness of language and renunciation of the potential digression of the ears. Stanley Cavell, in his essay “Passionate and Performative Utterance: Morals of Encounter,” voices concern about “a theory of language that pictures speech as at heart a matter of action and only incidentally as a matter of articulating and hence

expressing desire” (180). For Cavell, speech act theory pronounces philosophy’s preoccupation with statements and assertions, and its continued dismissal of language as expressions of passion and desire. Such a tendency can be easily discerned in Austin systematic exclusion of literary and fictional speech from the category of performative speech acts. “I mean, for example, the following: a performative utterance will,” observes Austin in *How to Do Things with Words* (1962):

for example, be *in a particular way* hollow or void if said by an actor on the stage, or if introduced in a poem, or spoken in soliloquy. This applies in a similar manner to any and every utterance—a sea-change in special circumstances. Language in such circumstances is in special ways—intelligibly—used not seriously, but in ways *parasitic* upon its normal use—ways which fall under the doctrine of the *etiolations* of language. (22; emphasis in original)

Literature poses a conundrum for Austin. On the one hand, he draws upon literary works and plays to construct various speech situations that serve to illustrate different types of the performative act. On the other hand, the rhetorical and fictional dimension of literature seems to resist a generalized account of speech as action. For example, how to understand a marriage proposal happening in a play? Do the sweet tears, flickering eyes, and the excited “Yes, I do” bind the actors offstage?

The debate which took place at the end of 1970s between Derrida and John Searle continued this discussion and staged a head-on confrontation between speech act theory and literature. Searle, who inherits Austin’s mistrust of literature, emphasizes that when a speech act—for instance the act of promising—is transported into a literary context, it undergoes moments of corruption that influence both the genuineness of the intention and the authenticity of the conventionality. It is for this reason that Searle takes fictional discourse as a sort of “nondeceptive pseudoperformance” (325), whose effects are dependent on the ordinary usage of the speech and can only be conveyed through a prior exposure to and understanding of the speech in question outside fiction. However, for Derrida the speech situation in general is cannot be totaled up, because neither the context nor the intention of the speaker can be fixed or determined. It is impossible to discriminate among parasitic and normal uses of language, insofar as an utterance can be cited out of its intended context and repeated in spite of the absence of the author/speaker. There is no original and privileged context, Derrida notes, which can anchor and guarantee the performativity of an utterance.

Cavell, although not being explicitly engaged in this debate over literature and speech act theory, re-conceptualizes the matter in terms of the nature of language and speech. Cavell writes, “From the root of speech, in each utterance of revelation and confrontation, two paths spring: that of the responsibility of implication; and that of the rights of desire” (194). This divergence results in two types of speech: One is performative utterance and the other is what Cavell calls “passionate utterance.” “A performative utterance is an offer of participation in the order of law,” writes Cavell, “And perhaps we can say: A passionate utterance is an invitation to improvisation in the disorders of desire” (194). Literature, seen in this light, is not to be understood by

reference to speech acts or to the spatio-temporal suspension of speech as action. Literature is not only “parasitic” upon the everyday use of language but also dependent on other texts to make expressions simultaneously intelligible and singular. If such constitutes the very exclusion of literature from speech act theory, this is not to say that literary speech has no force. Rather, it points to the possibility and necessity of understanding language and speech as giving the indeterminacy and ineffability of desire a tentative verbal form. Literary speech is to language a desiring machine that produces disorders and solicits responses. Bringing into play the expressive dimension of language, Cavell aims not only to disentangle the enunciation of words from instant confirmation and the sanction of proper rules and terms; as Cavell explains, “the view is meant in service of something I want from moral theory, namely a systematic recognition of speech as confrontation, as demanding, as owed” (196). Passionate utterance, which suspends the enduring framework of speech acts, refers to both the interlocutor and the listener as neither a regulator nor a by-product of one’s speech and discourse. Instead, it singles out the listener as the one to whom the speech entrusts itself, and from whom the speech solicits a response in kind.

Whereas a performative utterance—as it is in the case of LADO—prompts a politics of listening that predisposes the ears to particular ethos and laws, and to the idea of hospitality as duties and conditions, a passionate utterance opens up an ethics of listening, which entails not only postponing the agenda of its own, but also renouncing the ambition of enclosing or containing the speech within the range of its audibility. Indeed, given the current practice of language analysis it seems impossible to talk about hospitality in relation to language: As the act of speaking and the technique of listening are mutually embedded and managed in a way that gives rise to terms of hospitality, accents—when they fail to help track the body back to anticipated trajectories and profiles—are the equivalent of a performative gesture of falsehood and illegitimacy. Speech, when reduced to sound bites and units of phonemes, deprives the audibility of the speaker’s will to express and to desire. Hamdan’s audio documentary *The Freedom of Speech Itself*, while exposing the problematics of accented speech acts and the politics of listening, points to the possibility and necessity of listening to accents as a register of passion and desire, whose order cannot be exhausted by the hierarchy of truth and falsity, trustworthiness and untrustworthiness. Confronted with a formalized accented speech burdened with the duty of action, Hamdan responds with a cacophonous mixture of accents and voices, which amount to an expression of fictionality that fragments the singular enunciation of “Truth” and replaces it with truths in its plural form. The incompatibility of localized truths and the bifurcation of speech into action and passion make the practice of listening an ethical choice and a conduct taken up by the audience, who have to forge a dialogue between the two orders of hospitality and accept that the two regimes that structure speech and hospitality will remain irreconcilable. An ethics of listening, therefore, is not to listen without prejudices or ideologies—it is to listen in spite of them.

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