

Being and Becoming Human: Weheliye's Radical Emancipation Theory and the Flesh and Body of Black Studies

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Introduction- Blackness and Black Life

“What is the dilemma? [This essay] attempts to formulate that question; it contends that [social] forces are not definitive, although they have been, in the case of diasporic African communities, unrelenting and overwhelming . . . [The state] does not offer a “solution” . . . but rather it finds. . . certain static in a field of force.”¹-- Hortense Spillers

Racism plagues Black life today and a state solution has yet to present itself, does there exist freedom in the suffering of racism that cannot be redressed by the liberal state? Black life has endured centuries of racial slavery, colonialism, and Jim Crow, which all have marginalized people. Given the continuous disregard for Black life by racism in the Western world, there has been efforts to study and subvert such oppression.² A defining feature of Black Studies includes the reality of Black life described from the particular standpoint of Black people but deeply concerning the liberation of humanity writ large.³ What could Black Studies have to offer if it pushed in an even more radical direction? The radical project of Black Studies as shown in this essay offers a shifting conception of race characterized by a detachment from

¹ Hortense Spillers, *Black White and In Color: Essays on American Literature and Culture*. (Chicago and London: University of Chicago Press, 2003) Pg. xvi

² Alexander Weheliye, “Introduction Black Studies and Black Life,” *The Black Studies Scholar: Journal of Black Studies and Research* 2, vol. 44 (2014): 5-10. <http://dx.doi.org/10.1080/00064246.2014.11413682>

³ Manning Marable, “Black Studies and the Racial Mountain,” *Souls: A Critical Journal of Black Politics, Culture, and Society* 2, no. 3 (2000): 21. <http://www.columbia.edu/cu/ccbh/souls/vol2no3/vol2num3art2.pdf>

the static results of state solutions, which reveals the field's efforts to decenter the racist forces of the state as a site of liberation. Such a task calls for the reordering of priorities by the oppressed so as to ensure the basic needs of survival for society's most poor and vulnerable people.⁴

To get at the subject matter of Black Studies' radicality, I will draw on Black Studies scholar Alexander Weheliye's *Habeas Viscus*. Weheliye informs my notions of radicality through his analysis of "the flesh." This concept was originated by Black Feminist Scholar, Hortense Spillers, and is expanded here by Weheliye. The flesh exists at the crux of society's most egregious points of vulnerability. Their vulnerability ranges from the severity of enslavement to the equally severe but mundane denial of the basic necessities of survival. Similar to Spillers, Weheliye asserts that bearers of the flesh are recognizable and in that, the histories of brutalization that render one a member of this category appear as inscriptions that demarcate these subjects from the privileged human. Becoming flesh entails long historical and repeated processes of domination, violence and attempts by the state and other discourses more generally, to eliminate its political voice. The flesh is inseparable from this oppressive history, so it radically lands its blow on the body for generations to come. As will be addressed later, I raise the question, in what ways does Blackness speak, perhaps even without voice?

Weheliye's project begins with two objectives: to use the vantage point of Black Studies to re-conceptualize the place of race or "racializing assemblages" in the dominion of modern politics, and to rectify the shortcomings of Giorgio Agamben's bare life and biopolitics analysis. First, Weheliye argues "racializing assemblages,"⁵ he conceptualizes race as a set of socio-political processes that discipline humanity into different genres of social status using western white man as the paradigm. Weheliye's

⁴ Ibid.,

⁵ I understand "assemblages" as a method of academic interrogation that brings together factors that are otherwise seen as particular, as Weheliye demands, such factors are *NOT* comparable. According to Weheliye, in an assemblage, all the factors are so interconnected that they are relational only when they are interrogated together, "that is to say that the differing elements articulated in an assemblage become components only in their relational connectivity with other factors." 45. For more info on racializing assemblages, see Weheliye, *Assemblages: Articulation, Habeas Viscus*, 46-52.

conception of race is based on physical differences but infinitely transcends them, seeing that it is also based on spiritual, cultural, and psychological differences.

Race or racializing assemblages lead us to the heart of the matter by way of an interrogation that is ceaseless; what does it mean to be human? Weheliye's conception of race decolonizes a Western bourgeois notion of the human. Here, the term "human" is synonymous with Weheliye's designations of the word "Man."⁶ "Man" embodies a category which denotes white, hetero-masculine, propertied men. "Man" is the full "human," and stands in relation to others categorized as "not-quite-humans," and "nonhumans." These classifications distinguish positions within the state where full humans are granted full citizenship, and those rendered not-quite-human, and non-human, experience second-class citizenship or lack thereof. Equally important is the fact that the objectification of exclusive categorical "blackness" also reinscribes the very notion of the human as synonymous with western Man. Given that Black skin has historically functioned as a non-human signifier notably during racial slavery, might the radical project of Black Studies be in service of dismantling the *exploitation* of visible human difference? If such a claim is reasonable, then Black Studies is an illustration of racialization's role in the construction of modern humanity; it occasions for the potential ruin of "Man" and advocates the radical reconstruction of what it means to be "human." As Weheliye writes, "Man will only be abolished "like a face drawn in sand at the edge of the sea" if we disarticulate the modern human (Man) from its twin: racializing assemblages."⁷

In "Unpacking Bare Life," Giorgio Agamben's work *Homo Sacer* reveals that the central figure of modern politics is *homo sacer*, which is measured against the paradigm of the human as "Man." On the contrary, he verifies that *homo sacer* can be killed without consequence to the liberal state but not as a sacrifice. Thus, he/she is not fully human since their existence simultaneously constitutes their subjection to state

⁶ Following Sylvia Wynter, Weheliye capitalizes "Man" to designate modern, secular and Western version of the human that differentiates full humans from not-quite-humans and nonhumans against the paradigm of biology (whiteness) and economics (property owning, upper class). See Sylvia Wynter, "Unsettling the Coloniality of Being/Power/Truth/Freedom: Towards the Human, After Man, Its Overrepresentation—An Argument," *CR: The New Centennial Review* 3, no.3 (2003): 257-337.

⁷ Weheliye, *Habeas Viscus*. pg. 52

rule via exclusion and lack of political agency. This lack makes *homo sacer* an exception to the rule of law as a bare life only defined vis-a-vis biology.⁸ Is it always the case that *homo sacer* is exclusively defined vis-à-vis biology? Might bare life also define the relationship of history and race in the creation of *homo sacer*? Weheliye contends that *homo sacer* is but another word for race, and that racism is squarely located in the political force field of bare life.

In contrast to Weheliye, Agamben exemplifies the Nuremberg Law of Nazi Germany which allowed “the Jewish and the Roma people [to] be sent to extermination camps *only after* having been fully denationalized.”⁹ Although the Jewish and Roma peoples were phenotypically white, they were excluded from the white Aryan race. This shift in the Jewish and Roma peoples’ political status to second-class citizenship staged their legalized subjugation to the conditions of the death camps. Agamben fails recognize that race is at work here. While I grant that the Jewish and Roma peoples were racialized, I maintain that the author’s bare life seemingly precedes racialization in its insistence on the biology being a qualifying factor for subjugation. For Agamben, all humans’ rights are equally susceptible to suspension since even the white Jewish and Roma people were dehumanized.

In “Weheliye’s Reading of Agamben,” I will elaborate on Weheliye’s suggestion that the techniques by which one is transformed into bare life are scripted onto the abjected so that their expulsion appears as natural and deserved. Weheliye’s critique problematizes Agamben’s misreading of race as based solely on visual distinctions. For Weheliye, Agamben privileges the Holocaust as the law-like convention of modern terror. Doing so elides its conceptual contiguity found in contemporary politics and erases the racism imposed against indigenous and black bodies. White people were also subjects of the camp; therefore, Agamben imagines its terror to be beyond the reach of racial hierarchies. Instead, Weheliye refocuses black and brown subjects at the forefront of his considerations of bare life. He supplies U.S.

⁸ Agamben also corroborates that bare life is the threshold of the political community, seeing that *homo sacer*’s exclusion is indeed part and parcel of the rule of law.

⁹ The Jewish and Roma peoples had been stripped of even that second-class citizenship to which they had been relegated after the Nuremberg Law. For more info on the Nuremberg Law see Giorgio Agamben, “Means without End. Notes on Politics” in *Theory Out of Bounds* (Vol. 2, 2000), 90-95.

plantation slavery as a locus worthy of scholarly attention alongside Agamben's regard for the camp. In doing so he provides the entry point to multiple understandings of racial hierarchies within and beyond the rule of law.

Weheliye grounds his project in Spillers' "Mama's Baby Papa's Maybe." She discusses the the sociopolitical order of the New World in its imposition of vulnerability, violence and racism against African and Indigenous peoples. In "Spillers and The Emancipatory Potential of the Flesh," I will discuss the "hieroglyphics of the flesh," that is, its ontological status having to do with its appearance as permanent. This aspect is what Spillers calls the "hieroglyphics of the flesh," which establishes Weheliye's inquiry of the flesh as an aspect of Black Studies that sets the plantation afoot in bare life. Spillers provides the mechanism through which I address the question, what becomes newly politically possible if plantation slavery replaces the conceptual role played by the concentration camp in *Homo Sacer*? First, the intimacies between different forms of terror and violence (racial slavery, colonialism, asylums, prisons, etc.) become visible and provide the basis for thinking about and working against current social orders. Second, racialized terror and violence are no longer conscripted as exceptions and viewed as being outside of democracy/modernity. Finally, racial difference, especially the central place of Blackness, becomes fundamental to thinking about how modern systems of power operate.¹⁰ As will be shown, Spillers makes the case that Blackness is central to humanity, which helps to establish the emancipatory potential of the flesh.

I focus heavily on theory in this study because I seek to locate the history of racism within the same domain as emancipation from this violence. Instead of "solving" racism, I first seek to understand what this "ism" is and that it is not definitive, nor is it intrinsic to human nature. Also, while I myself do not seek to delineate which humans belong to the different genres, I seek to contribute to Weheliye's race theory of "the flesh," with the goal of freeing and putting into motion the racial history of *homo sacer* that lays dormant in Agamben's "bare life." I analyze Agamben, Weheliye, and Spillers in order to suggest that the emancipatory potential flesh calls for the decentering of the state. For, if freedom is tied to the very

¹⁰ Alexander Weheliye, personal e-mail message to author, February 22, 2017.

legal structures that codify “Man,” it could only blind us to the manifold occurrences of freedom otherwise.

Unpacking Bare life

Giorgio Agamben is an Italian philosopher best known for his work investigating the concepts of the legal state of exception and homo sacer. Michel Foucault’s concept of biopolitics informs many of his writings. In his book, *Homo Sacer: Sovereign Power and Bare Life*, Giorgio Agamben begins with a theory of the state of exception. He writes that the “The decision [on the exception] reveals the essence of State authority most clearly.”¹¹ The legal state of exception is active in the production of bare life, i.e., human life caught in the sovereign ban that constitutes the paradoxical threshold of the political community. The state of exception is a zone in which all the normal juridical proceedings of the law are suspended by the jurisdiction of the law. In the state of exception Agamben’s figure of homo sacer emerges in the space of bare life, as the central character of modern politics, this is a figure who can be killed without calling forth the punitive consequence of the state.

In *Homo Sacer* Agamben responds to Foucault’s theory of biopolitics, the zone in which human life becomes the target of the structural power of the state. He criticizes Foucault for not bringing his insights “to bear on what could well have appeared to be the exemplary place [the concentration camp] of modern biopolitics: the politics of the great totalitarian states of the twentieth century.”¹² In his analysis, Agamben refers to totalitarianism insofar as Nazi Germany’s biopolitical radicality and total domination as a presentation of a model of terror that is unparalleled in traditional formulations of biopolitics in the western nation state. He states that “only because politics in our age had been entirely transformed into biopolitics was it possible for politics to be constituted as totalitarian [to] a degree hitherto

¹¹ Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*, trans. Daniel Heller Roazen (Stanford: Stanford University Press, 1998) p. 16

¹² Agamben, *Homo Sacer*, Pg. 124.

unknown.”¹³ Here, Agamben sees a radical transformation of bare life solely defined vis-a-vis biology with no political being, into politics as an object of state rule. Agamben’s mediations on totalitarianism are indebted to Hannah Arendt who was a Jewish refugee living a life of exile, forced out of every country with no legal protection. She existed solely in a biological sense, forced out of the social/political world.¹⁴ Arendt helps Agamben bring the concentration camp into the paradigmatic focus of western politics as an ultimate incarnation of bare life. The camp was an experiment of total domination, which was legitimated via the jurisdiction of the state, which has its threshold the violent, disenfranchised, subjugated form of life that is the camp. Agamben insists on the existence of a “hidden tie” between bare life and state power, fostered in the exceptional foundation of State authority. At first glance, the motives of Agamben’s proposition of the zone between the legal state of exception and bare life seem impossible to recover. For my purposes of unpacking the “hidden tie” between the exception and bare life, I focus most acutely on bare life and the legal state of exception.

In the view of Agamben, the jurisdiction of the law establishes itself through the production of the political order based on the exclusion of human life. This is the state of exception where the human is stripped of legal status. The enactment of the exception achieves bare life; the law is withdrawn from the human being in a state of indefinite suspension. Bare life is the mere biological life devoid of rights and political status, while the space between mere biological life and political life is undefined by Agamben. He insists that bare life is the foundation of the state, in the opening lines of *Homo Sacer* Agamben begins by saying that “it can even be said that the production of a biopolitical body is the original activity of sovereign power.”¹⁵

¹³ Ibid. 120

¹⁴ Hannah Arendt “The Decline of the Nation-State and the End of the Rights of Man,” In *The Origins of Totalitarianism*. (New York: Harcourt, Brace, Jovanovich, 1973), 266.

¹⁵ Agamben, *Homo Sacer*, 6

Bare life is encompassed in the state of exception, and this form-of-life is included in the political order as the threshold of the political community.

The exception does not subtract itself from the rule; rather, the rule, suspending itself, gives rise to the exception and [while] maintaining itself in relation to the exception, first constitutes itself as a rule.¹⁶

Agamben shows that the state of exception gives rise to the juridical order, it is the *rule of exception* by which human life is included solely through its exclusion. In other words, the political order and the *rule of exception* congeal into a confluent mechanism that suspends the validity of human life as a by-product of the jurisdiction of the state. Agamben writes, “What is outside [bare life] is not included simply by means of an interdiction . . . rather by means of the suspension of the juridical order’s validity.”¹⁷ This means that the protections of the law are proscribed from certain humans that are deemed not worthy of legal recognition. This suspension produces the exception of bare life, “[while], maintaining itself in relation to the exception, first constitutes itself as a rule.”¹⁸ Agamben argues that it is upon this (inclusive) exclusion of bare life that the Western State itself is constituted. The notion of an inclusive exclusion is indeed paradoxical, but will be elaborated more as we delve into the figure of *homo sacer*.

For Agamben, the inclusive exclusion enacted by the rule of law is haunted by the central figure, *homo sacer*. Within the *relation of exception*, those who occupy the state of exception are not theoretically freed from the juridical order and state rule; bare life is not simply set outside of the law and made unconcerned with it.¹⁹ The law is a force that includes the bare life, which is ironically bound to and abandoned by said law. *Homo sacer’s* ban from the law concretely ties him/her to the order of state power.²⁰ *Homo sacer’s* ban is in the *relation of exception*. Politics includes *homo sacer* only

¹⁶ Ibid., 18

¹⁷ Ibid.,

¹⁸ Ibid.,

¹⁹ Ibid., 28

²⁰ An example of how the “state of exception” ties *homo sacer* to the law that excluded him/her can be shown with torture. On the omnipresence of torture Angela Davis writes, “The military detention center [e.g., Guantánamo] as a site of torture and repression does not . . . displace the domestic super-maximum security prison. . . . [T]he normalization of torture, the everydayness of torture that is characteristic of the supermax may have a longer

to the extent that s/he is devoid of economic and physical power and human rights. The figure operates at a level of inclusive exclusion whereby neither human rights nor the value or sanctity of their life is worthy of recognition. In the words of Agamben, there are “two traits whose juxtaposition constitutes the specificity of homo sacer: the un-punishability of his killing and the ban on his sacrifice.”²¹ *Homo sacer* can be killed with impunity, qualifying the figure to exist outside of the protections of the law. Ironically, as we have seen earlier in the *relation of exception*, homo sacer is also constitutive of said law. The original political relation of Western democracy is the state of exception as a zone of indistinction, between outside and inside the law, inclusion, and exclusion. This zone of indistinction indicates the zone between life and death, as will be interrogated later by Alexander Weheliye. For Agamben, *homo sacer's* entire existence is:

Reduced to a bare life stripped of every right by virtue of the fact that anyone can kill him without committing homicide; he can save himself only in perpetual flight or a foreign land. And yet he is in a continuous relationship with the power that banished him precisely insofar as he is at every instant exposed to an unconditional threat of death. He is pure *zoe*, but his *zoe* is as such caught in the sovereign ban and must reckon with it at every moment, finding the best way to elude or deceive it. In this sense, no life, as exiles and bandits know well, is more “political” than his.²²

Here, *homo sacer* is exposed without condition to his potential killing by anyone. *Homo sacer* is in the *relation of exception*, the continuous relationship with state power that banished him “precisely insofar as he is at every instant exposed to an unconditional

staying power than the outlaw military prison.” In Davis’s writing the tortured is part and parcel of the political order, in constant relation to the military prison which governs and removes *homo sacer's* political agency via torture. For more on torture see Angela Davis, *Abolition Democracy: Beyond Empire, Prisons, and Torture* (New York: Seven Stories Press, 2005). Pg. 124

²¹ Ibid., 73

²² Ibid., 183-184

threat of death.”²³ This relation constitutes something like the “originary ‘political’ relation,” which is to say bare life insofar as it operates in an inclusive exclusion as the referent to the sovereign ban.²⁴ For *homo sacer*, the state of exception constitutes the sovereign ban on immolation, where s/he is also permitted to be killed without incurring the penalty of homicide and without the recognition of sacrifice. So the sovereign ban is the state of exception that is active in the production of bare life as *Zoe* (human biological life) as opposed to *bios* (full human existence), two terms that will be discussed in the next paragraph. This relation forms the core of political modernity and increasingly comes to define the scope of Western state power, particularly the ‘hidden tie’ between the legal state of exception and bare life which Agamben references as the total domination of the concentration camp.

Agamben then centers bare life in the state’s exercise of the sovereign ban as one of many features central in legislating life and death. This proposition raises the question; what constitutes the power of the state? According to Agamben, “a state. . . makes nativity or birth that is naked human life the foundation of its own sovereignty.”²⁵ State power is the sovereign ban, with *homo sacer* as its foundation, seeing as it exercises control over the biological body with the goal of transforming bare life (*zoe*) into a citizen (*bios*). Agamben predicates this distinction via his reconceptualization of two Greek terms used to distinguish life: *Zoe*, which is confined to the private sphere and *bios*, “a qualified form” of political life in the public realm vis-a-vis the structures of law.²⁶ The ban from the domain of political life reduces its referents to the zone of exception defined only with regard to biology (*Zoe*).

The domain of politics in the broadest sense is the array of complex ways in which humans organize their ordinary lives in contexts of differential power between individuals, status groups, nation states, etc. The private (*oikos*) and public (*polis*) dimensions of human social arrangements define politics. Most important to Agamben’s distinction of modern democracy between *zoe* and *bios* is the *polis* or the politics of bare life (*zoe*) and activities related to centralized or localized pursuits

²³ Ibid.,

²⁴ Ibid., 85

²⁵ Giorgio Agamben, “Means without End. Notes on Politics” in *Theory Out of Bounds* (Vol. 2, 2000), 93.

²⁶ Agamben, *Homo sacer*, 1

of power, status, or control (often involving various mechanisms, calculations, strategies of persuasion, coercions, intrigues, and terror.) Agamben brings bare life into the paradigmatic focus of politics, making it imperative of modern democracy to transform *Zoë* (bare life) into a citizen or *bios* (political life). The state of exception is what constitutes bare life; it marks the event in which the state of exception enters the polis via radical transformation. Agamben claims that “not only does the ban on immolation exclude every equivalence between the homo sacer and a consecrated victim, but—as Macrobius, citing Trebatius, observes—the fact that the killing was permitted implied that the violence done to *homo sacer* did not constitute sacrilege...”²⁷ Here we can conclude that because of a lack of citizenship, which inherently places those in the state of exception in a zone of *homo sacer*, to kill them would not be considered criminal and demarcates this subject from any other victim of violence. The state of exception is the zone of modern terror outside of democracy in totalitarian Germany.

For Agamben the phenomenon of modern terror is most visible within the context of the Nazi concentration camps, seeing that the Jewish and Roma people no longer had any claim to human rights, they were placed in a political position of rightlessness where the nation state had no regard for their lives. The zone of exception manages the life of the human, setting the conditions of justification of his death, and the conditions for the citizens’ political identity to be decided by the state. While I understand that there were factors such as race that contributed to particular individuals’ objectification to concentration camps, Agamben explicitly neglects the question of whether the political and social factors at work here operate with any relation to race. In his article “Beyond Human Rights,” he states that:

The succession of internment camps- concentration camps- extermination camps represents a perfectly real filiation. One of the few rules the Nazis constantly obeyed throughout the course of the ‘final solution’ was that Jewish and the Roma people could be sent to extermination camps only after having been fully denationalized (that is, after they had been stripped of even that

²⁷ *ibid.*, 55

second-class citizenship to which they had been relegated after the Nuremberg Law.)²⁸

Although the Jewish and Roma peoples were phenotypically white, they were classified as not white, as outside of the Aryan race. Here, Agamben recognizes that it was the shift in the Jewish and Roma peoples' political status from citizen to second class citizen that set the stage for the nation-state to then legally marginalize these groups and subjugate them even further to the conditions of the concentration camps which Agamben equates with death. With this proposition Agamben raises the question of whether race was at work. He fails to realize that it was.

According to Agamben, the nation state constructs every human being as a body whose goal is to transform their bare life (*zoe*) (the life of the Jewish and Roma peoples), into a proper mode of being human, i.e. bare life into citizenship (*bios*, the Aryan race). This transformation for Agamben, is a universal process that essentially constitutes the nation state. He says that "there is politics because man is the living being who, in language, separates and opposes himself to his own bare life and, at the same time, maintains himself in relation to that bare life in an inclusive exclusion."²⁹ Agamben's observations of politics are indicative of his understanding of politics qua bare life as being integral components of modern terror that disseminate into individual structures throughout the society. Politics has the human as its subject, while it is the structures of the exception that bring the bare biological life into the locus of politics.

For Agamben, the conceptual separation between *zoe*-- the bare biological life which humans are born into-- and *bios*, the political life that we enter via citizenship, has historically been blurred in totalitarian rule and still haunts the politics of modern democracy. The production of bare *homo sacer* biological life undergoes a transformation in political modernity. *Zoe* is repositioned inside the *polis* and becomes the paradigmatic focus of the State's structural power. In the view of Agamben, this process indicates a Western politics that has indicated itself from its origins, as a biopolitics with the goal of transforming bare life.³⁰ According to a book review of *Homo Sacer* by Kalliopi Nikolopoulou, passing from mere biological life into political

²⁸ Ibid.,124

²⁹ Ibid., 8

³⁰ Ibid., 181

life means that bare life is the necessary prerequisite for human life's entrance into politics.³¹ Agamben's title figure *homo sacer* is rendered a status that casts him/her both in and out of humane and divine law, with bare biological life as the law's absolute price. Agamben traces the history of Western politics as the history of the production of *homo sacer*, balancing the tone of his work with concrete instances which describe said production via the transformation of bare life into the *polis*.

Agamben's transformation of *zoe* becomes blurred because for him, the categories that separate the bios and *zoe* appear as natural and not based on socially constructed identity markers. Agamben locates the political digestion of *zoe* in a generalized, quasi-ontological "zone of indistinction," in which the categories that segregate bare life and other modes of life become null and void:

What characterizes modern politics is . . . that, together with the process by which the exception everywhere becomes the rule, the realm of bare life-- which is originally situated at the margins of the political order-- gradually begins to coincide with the political realm, and exclusion and inclusion, outside and inside, bios and zoe, right and fact, enter a zone of irreducible indistinction.³²

Agamben imagines the field of bare life as eradicating divisions among humans that are predicated along lines of race, religion, nationality or gender because it creates an "irreducible zone of indistinction" that debases social and political markers and is normalized within the political order. This proposition raises the question, is it possible to have a zone of distinction within the realm of bare life? For Agamben, this zone of indistinction is conceptually defined by the all-inclusive order of terror found in the Nazi death camp as the ultimate incarnation of modern terror/bare life as the sine qua non-of modern politics as sovereignty. Such a space resonates in various current biopolitical institutions such as refugee camps, detainment camps,

³¹ Kalliopi Nikolopoulou, "Homo Sacer: Sovereign Power and Bare Life (review)," review of *Homo Sacer: Sovereign Power and Bare Life* by Giorgio Agamben. *SubStance*, Issue 93 vol. 29 no.3 (2000): 124-131.

³²Agamben, *Homo Sacer*, 9

and prisons.³³ While I understand that for Agamben the central aim of politics is the manufacturing of bare life, I maintain that the modulations of terror carried out in the state of exception are part and parcel of the normal juridico-political order.

I am of two minds about the zone of indistinction. On the one hand, Agamben infuses the the rule of law with state of exception, stating that: “today there is no longer any one clear figure of the sacred man . . . perhaps because we are all virtually *homines sacri*.”³⁴ Here, he states that bare life embodies a dimension of contemporary politics, and that structurally, all human subjects are susceptible to personifying its actualization. On the contrary, if Agamben in fact believes his above mentioned claim, I am not sure how the terror/violence of the camp is conscripted as an exception that exists as the paradigmatic example of the terror of democracy/modernity. In my opinion, we are not all in fact equally subject to being reduced to bare life, such vulnerability is differentiated amongst racialized social groups and exploited by the democratic state. Thus, race must be considered in discussions of bare life. For Agamben it appears as trivial, however race is in fact crucial to his concerns of the zone of indistinction in its lack of political agency. For example, the zone of distinction is more visible in the institution of slavery that formed the very foundation of capitalist accumulation and all its associated, racialized violences, including the Nazi concentration camps. Nonetheless, Agamben’s evidence for his proposition of the exception as the rule of law is the camp, which comes after slavery.

One might ask then: why does Agamben take the camp as the epitome of modern politics qua the state of exception? The camp is disseminated through political structures that suspend the law in the name of the law in order to justify homo sacer’s demise. Concentration camps shared an intimate history with different forms of colonialism and genocide before being transformed into the death camps of Nazi Germany. To better understand the historical relation of Nazi death camps, I reference Alexander Weheliye in his observations of the Encyclopedia Britannica’s definition of a concentration camp:

³³ Alexander Weheliye. *Habeas Viscus: Racializing Assemblages, Biopolitics and Black Feminist Theories of the Human*. (Durham: Duke University Press, 2014) p. 33-34

³⁴ Agamben, *Homo Sacer*, 115

an internment centre for political prisoners and members of national or minority groups who are confined for reasons of state security, exploitation, or punishment, usually by executive decree or military order. Persons are placed in such camps often on the basis of identification with a particular ethnic or political group rather than as individuals and without benefit either of indictment or fair trial.³⁵

The German variant of the concentration camp is the product of a western colonial provenance. Agamben's placement of the camp as the locus of modern terror qua politics and the *nomos* (law, convention) of politics therefore becomes all the more interesting and problematic. By placing the severest version of bare life at the center of contemporary politics, Agamben proposes the camp as an exception of modern terror that is the 'hidden tie' between bare life and the legal state of exception. Such a tie fostered in the exceptional foundation of state power is what constitutes so-called democracy. I contend that overtly racist institutions of dehumanization like US slavery are taken to be particular to one group of people. However, Agamben's model of the camp seems to be relevant to all of the world because it was one of the first times that white people began to be dehumanized. If this is true then how are we to understand the ringtones of dehumanization that antecede Nazi Germany? Do they not constitute the hidden tie? It's true that the Holocaust was not the first time that dehumanization appeared in the western democratic world and it did not operate without any relation to race as Agamben claims.

At best, with Agamben's proposition the Holocaust was an exceptional paradigm of terror that exhibited the democratic state's power to be totalitarian. There exists no freedom in the suffering of bare life, *zoe* is repositioned in the *polis* via a *relation of exception* that excludes *homo sacer's* political voice. So for Agamben, western democracies infuse the normal political order with the state of exception, race is not a factor in this dehumanization, and there are only politics insofar as western democracies create the state of exception. Overall Agamben is problematic, considering that historically most of *homo sacer's* referents have been brown and black refugees, prisoners, detainees, etc. He explicitly disengages race as a fundamental

³⁵ Weheliye, *Habeas Viscus*, 35

category of *homo sacer*. However, I understand bare life as the by-product of a democratic mechanism that specifically racializes the human.

In the next section entitled “Weheliye’s Reading of Agamben,” Alexander Weheliye questions what it means to be human, and what impact does the current definition of being human have on those defined, as well as those not defined as such? His task brings me to question, how might bare life be different if Agamben used slavery as the paradigm instead of the holocaust? Weheliye’s conception of race contextualizes the “flesh” and body of bare life: the body is full human existence, a social construct of the state, the *bios*, whereas the flesh is corporeal, living, able to be bruised and broken, a carrier of oppression, and freedom dreams, the *zōē*. The politics of oppression and marginalization of bodies of color is brought into its violent reality through the flesh, a coalescence of racism and state power. Weheliye grounds his theory of “the flesh” by privileging Black Feminist Scholar Hortense Spillers’ “hieroglyphics of the flesh.” In combination, these powerful ideologies help to re-conceptualize the place of race in the discourse of modern politics to recognize the emancipatory potential of the flesh of bare life. Is there freedom in the suffering of the flesh that can be imagined but not yet described?

Weheliye’s Reading of Agamben

“My body was returned to me spread-eagled, disjointed, redone, draped in mourning on this white winter’s day. The Negro is an animal, the Negro is bad, the Negro is wicked, the Negro is ugly.”³⁶—Frantz Fanon

If we start with Agamben’s proposition that bare life rests on the distinction between the human-as-biological (*zōē*) and the human-as-political (*bios*) in Western democracy, then, what might the politics of bare life look like? Agamben suggests that the intensely political production of “bare life” in the legal state of exception, could result in an apoliticized status. He challenges the viewpoint of those who view race as a by-product of endlessly shifting networks of state power dynamics and discourses on race. Furthermore, I understand Agamben’s “bare life” as the opposite of the human-as-political. It is apolitical for two reasons: first, because it makes the

³⁶ Frantz Fanon, *Black Skin White Masks*, (New York: Grove Press, Inc., 1967). 113

state possible by forcefully escaping its politics of citizenship and rights, and second, politics outside of the democratic state are non-existent.

In Weheliye's reading of Agamben, he aims to imagine a politics of liberation beyond the space of bare life. However, Weheliye's interest is not in the intrinsic reclamation of Agamben's bare life. Rather, he departs from it with the concept of the "flesh." Agamben argues that "bare life" exists outside western Man's World, hence it is apolitical. Implicit in his argument is a suggestion that politics exists only within the western liberal tradition. Agamben's supremacy of western democracy is visible with his lack of engagement with the question of a politics of bare life, even though he recognizes that the central feature of modern politics is the production of bare life. Here, Weheliye's project departs significantly from that of Agamben. While Agamben relies heavily on Man's World, Weheliye imagines another world, one that is built on the suffering, the laughter, the pain and the love of the marginalized, particularly black people, that frees the flesh. Although this world can be imagined, the continuously shifting dynamics of the flesh make it difficult to explicate in concrete terms. However, Agamben does not even acknowledge the potential for such a space to emerge, my aim for this section is to recognize *that* potential.

Weheliye's conceptualization of bare life with race at the center is critical to a question central to my reading of *Habeas Viscus*; what becomes newly politically possible if the conceptual role played by the concentration camp in Agamben's work is replaced by plantation slavery? This question is concerned with freeing and putting in motion "the history that hurts – the still-unfolding narrative of captivity, dispossession, and domination that engenders the black subject in the Americas."³⁷ As opposed to being confined to a particular historical period, echoes of New World slavery rest in many contemporary spaces. The objectives of *Habeas Viscus* stated in the introduction are in service of better understanding and abolishing our uneven global power structures. His move to do so begins with his conception of race or "racializing assemblages":

Focusing on the layered interconnectedness of political violence, racialization, and the human, I contend that the concepts of bare life

³⁷ Weheliye, *Habeas Viscus*, 89.

and biopolitics, which have come to dominate contemporary scholarly considerations of these questions, are in dire need of recalibration if we want to understand the workings of and abolish our extremely uneven global power structures defined by the intersections of neoliberal capitalism, racism, settler colonialism, immigration, and imperialism, which interact in the creation and maintenance of systems of domination: and dispossession, criminalization, expropriation, exploitation, and violence that are predicated upon hierarchies of racialized, gendered, sexualized, economized, and nationalized social existence.³⁸

The quote highlights race as the center of bare life; it is noteworthy that Weheliye provides a list of interlocking categories of subjugation that characterize the hierarchy of social existence that is *homo sacer's* ban and “racializing assemblages.”³⁹ Weheliye’s “racializing assemblages,” takes race as a set of socio-political processes that discipline humanity into different genres of social status using western, property-owning white man as the paradigm (full humans, not-quite-humans and nonhumans.)⁴⁰ However, he demands that the assemblages are not comparable, only

³⁸ Weheliye thinks of all oppression to be predicated upon racialization, which has disciplined humanity into different genres of social status using western white Man as the paradigm. In this quote he provides a list of categories of subjugation, which he indebted to racialization. He also indebted his broad understanding to racialization to Sylvia Wynter, Hortense Spillers, W.E.B Du Bois, and Frantz Fanon. For more info on racialization see Frantz Fanon, *Black Skin, White Masks*, trans. Richard Philcox (1952; reprint, New York; Grove, 2008) 89-120 and Alexander Weheliye, *Habeas Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human* (Durham: Duke University Press, 2014) 1-16.

³⁹ I understand “assemblages” as a method of academic interrogation that brings together factors that are otherwise seen as particular. According to Weheliye, in an assemblage, all the factors are so interconnected that they are relational only when they are interrogated together, “that is to say that the differing elements articulated in an assemblage become components only in their relational connectivity with other factors.” 45. For more info on racializing assemblages, see Weheliye, *Assemblages: Articulation, Habeas Viscus*, 46-52.

⁴⁰ Weheliye, *Habeas Viscus*, 22. Weheliye and Sylvia Wynter both take racialization to be essential in the discipline of genres of the human, the human is represented by western Man, and the operations of western Man are tied to physiological mechanisms in the form of a global color line. This color line is instituted by cultural laws to register human neural networks the distinguish the genres-- good/life/fully human and bad/death/not-quite human. For more on the “racializing assemblages,” see Weheliye, *Blackness in Habeas Viscus*, 16-31.

relational, to compare them would only reinforce Man's hierarchy. Weheliye discusses the layered interconnected systems of domination to elaborate the "racialization"⁴¹ of the human; the product of racialization is "racializing assemblages," which can be viewed in addition to other things, as relational discourses of race. In this context of racializing assemblages, Weheliye demands that we understand race not as a biological or cultural descriptor, but as a conglomerate of political relations that designate a changing system of unequal power structures that delimits which humans can lay claim to full human status and which cannot.

Weheliye sees "racializing assemblages" as the long historical and repeated brutalization, domination, and violence that has engendered bare life and maintains western state power structures. The relationship between Agamben and Weheliye acquires intelligibility as the assemblages of the *hidden tie* or racial history between politics and bare life, which Agamben neglects to racialize in his figure of *homo sacer*. Race is relevant to the body and flesh of bare life because Weheliye seeks to argue a corrective space of liberation beyond Agamben's bare life. He does so to secure a mode of thinking historically through plantation slavery as the racializing paradigm of bare life. Weheliye puts New World slavery at the center of bare life, emphasizing the "conceptual contiguity of the plantation and the camp in their suspension of law in the name of the law, while also showing how the camp emerged from assorted forms of colonial domination."⁴² Ultimately, what is at stake here is that death is not the only aspect of *homo sacer's* legal exception; the plantation emerged as a form of racialized social death, as well as one of the original sites of capitalist accumulation.

⁴¹ In *Habeas Viscus* Weheliye defines racialization and racial identities as: "on going sets of political relations that require, through constant perpetuation via institutions, discourses, practices, desires, infrastructures, languages, technologies, sciences, economics, dreams, and cultural artifacts, the barring of nonwhite subjects from the category of the human as it is performed in the modern west." Racialization has engendered the maintenance of hierarchal distinctions between groups of humans, Weheliye's particular emphasis is on shifting configurations of blackness. For more info on racialization see, *Introduction: Now, Habeas Viscus*, 3.

⁴² Alexander Weheliye, "Pornotropes": *Journal of Visual Culture* (Sage Publications 2008) Pg. 68.

This discovery will have significant applications to Weheliye's proposition that the flesh need not look to the state for freedom, the state cannot guarantee freedom.

An important point here for Weheliye is that although the majority of people in the concentration camps were phenotypically white, they were first stripped of their whiteness by being defined as non-Aryan. Thus, Weheliye emphasizes that race was also at work in Agamben's paradigm of dehumanization that is the camp. Agamben does not make any meaningful attempt to allow for a political being to emerge in the zone of bare life nor does he theorize a politics of liberation from the wounds of state-sanctioned violence. So for Agamben, to exist in bare life is to exist at the polar opposite of Weheliye's concept of the flesh. For Weheliye, Agamben's bare life is in contrast to the historical, racialized flesh, which recognizes the history, present and future of the marginalized. These findings will have important application to my task of recognizing historically the radicality of Black Studies that de-centers the inadequate solutions of the state as a site of liberation. A case in point here is the survival and prospering of Black subjects despite racial slavery.

Weheliye has noted that slavery, colonialism, lynching, and the current US prison system are integral components of modern terror and therefore politics. I follow his notes on modern terror qua politics as they point to the conceptual contiguity of the plantation and the camp in their calculation of *homo sacer*. Such a shared calculation matters because racial slavery spans a much greater historical period than the Holocaust, and is usually not taken as great an abnormality in its historical context nor in the way it is retroactively narrativized. Therefore, Weheliye's centralization of plantation slavery reveals the modulations in which extreme brutality and terrorism coexist with other forms of coercion as part and parcel of the normal juridical-political order. Here, Man's World invents the *homo sacer* qua *homo sacer*; bare life must be measured against something, otherwise it just appears as life stripped of its biology. Though murdering slaves was punishable by law in many US states, these rules were rarely enforced, and the master could kill slaves with impunity since they were categorized as property.⁴³ Consequently, slavery calls upon a different form of bare life than Agamben's concentration camp, since the more widespread

⁴³ William Goodell, "The American Slave Code in Theory and Practice: Its Distinctive Features Shown by Its Statutes, Judicial Decisions, and Illustrative Facts." (New York: American and Foreign Anti-Slavery Society, 1853) <http://www.dinsdoc.com/goodell-1-0a.htm>. 178.

horizon of knowledge in this context was what Orlando Patterson has referred to as “social death, the purging of all citizenship rights from slaves save their mere life [zoe].”⁴⁴ Weheliye observes Patterson to verify that racial slavery and the Holocaust exhibit the state of exception, although they do so in different legal and political ways since slavery’s purpose was not to physically annihilate, as much as to socially subdue, exploit, and erase the bios of those subject to its workings. This distinction is important because they survived, Black slaves were able to flourish *despite* the state which constantly attempted to erase their social existence rather than physical annihilation.

I understand that Weheliye aims at thinking through these two spaces’ (the plantation and the camp) commonalities and disparities without comparing the two. What political possibilities become newly imaginable if the conceptual role played by the concentration camp in Agamben is replaced by plantation slavery? In imagination, setting Agamben’s ideas afoot in the plantation and its remnants requires an understanding of the systems that undergird life, which also normalize the reality of racialized terror and violence as exceptions. Terror frequently appears in less extreme forms of political control, as well as the functioning of social life alongside incidents of violence and social and physical death that constitute the state of exception that is democracy.

For instance, Agamben repeatedly claims that “the tradition of the oppressed teaches us that “the state of exception” in which we live is not the exception but the rule,”⁴⁵ without including a reference to the tradition of the oppressed. Here, we recover Agamben’s neglect to engage race in his theorizations of the state of exception; Agamben’s negligence intensifies his exclusive focus on bare life from the purview of law and state power. He is unpersuasive in his repositioning of the *zoe* in the *polis* because he leaves intact homo sacer qua homo sacer by reinscribing the very mechanism by which modern politics invent and maintain bare life. Consequently, the *homo sacer*’s social death appears as the only feature of his/her subjectivity. My

⁴⁴ Orlando Patterson, *Slavery and Social Death: A Comparative Study*. (Cambridge: Harvard University Press, 1982) 39-41.

⁴⁵ Agamben, *Homo Sacer*, 6, 57

point here concerns bare life, however, it should appeal to anyone interested in overcoming oppression. After all, taking in other instantiations of bare life such as racial slavery opens up a socio-political sphere in which different modalities of life and death, power, and oppression, pain and pleasure, inclusion and exclusion, form a diametric continuum in which the flesh flourishes *despite* the violence of the body. Through racial slavery, Blackness speaks even without a political voice, by surviving despite the imposition of death.

Weheliye's thinking of the flesh as an aspect of Black Studies sets the plantation afoot in bare life in three ways. Primarily, the intimacies between different forms of terror and violence (racial slavery, colonialism, asylums, prisons, etc.) become visible and provide the basis for thinking about and working against current social orders. Second, terror and violence are no longer conscripted as exceptions and viewed as being outside of democracy/modernity. Finally, racial difference, especially the central place of Blackness, becomes fundamental to thinking about how modern systems of power operate.⁴⁶ In speaking of the bare life of the plantation three aspects of the flesh are relevant. First is the flesh's origins in the history of state-sanctioned violence, which it endures constantly. Second is the emancipatory potential of the flesh, which will be elaborated more fully throughout this body of research. Third, is the legal framework of the flesh as it conjoins with *habeas corpus* that manifests as *habeas viscus*, which insists that Black Liberation need not look toward the state as a central site of liberation.

Primarily, I understand the flesh as a product of racializing assemblages; becoming flesh entails long historical and repeated brutalization, domination, and violence. To disclose the processes of becoming flesh, Weheliye states that:

Flesh, while representing both a temporal and conceptual antecedent to the body, is not a biological occurrence seeing that its creation requires an elaborate apparatus consisting of the calculated work of iron, whips, chains, knives, the canine patrol, the bullet and many other factors including courts of law.⁴⁷

⁴⁶ Alexander Weheliye, personal e-mail message to author, February 22, 2017.

⁴⁷ Weheliye, *Habeas Viscus*, 39.

Here, Weheliye provides evidence for the conceptual contiguity of the flesh & body of bare life. The flesh is the *zoē* that has been transformed by state violence as a piece of property, seeing that bare life is the state of exception that is included in the normal political order only to the extent in which it is excluded (inclusive exclusion). However, Weheliye departs from Agamben, because once groups are rendered “flesh,” this racialized category is maintained trans-generationally, with the various inscriptions of that history carried on one’s physical being. The calculated work of the state apparatus is the enfleshment of oppressive history, allowing racism to land its blow on the body of the world for generations to come. Weheliye cites examples that make up the spasmodic networks of the flesh as: “Latino, poor, incarcerated, indigenous, disabled, gender non-conforming subjects, but especially African descendant populations.”⁴⁸ Here, the flesh recognizes the history and present of suffering, and the emancipatory potential to be taken away from the lived experiences of the marginalized.

Secondly, the above-mentioned quote describes the flesh as an “antecedent to the body.” He raises the question of, “what is the body and to whom does it belong?” which leads us to an understanding of who, then, is left to bear the flesh? As Weheliye describes it, “the body is a state of legal-belonging and self-possession.”⁴⁹ He provides evidence for the flesh as the product of racializing assemblages, which recognizes primarily the possession of the self. The flesh becomes conceivable in the words of Frantz Fanon: “my body was returned to me spread-eagled, disjointed, redone, draped in mourning on this white winter’s day. The Negro is an animal, the Negro is bad, the Negro is wicked, the Negro is ugly.”⁵⁰ Here, Fanon’s observations of his own body are pivotal; his body was stolen and

⁴⁸ Alexander Ghedi, Weheliye. (2016, September, 20.) “Alexander Weheliye.” [YouTube]. Project: Report. Retrieved from <https://www.youtube.com/watch?v=niUuOeN6zvQ&t=328s> (0:00- 9:00).

⁴⁹ Weheliye, *Habeas Viscus*, 39-40.

⁵⁰ Fanon, *Black Skin White Masks*, 113

brutalized by the state, taking him out of the political order. During colonialism Black skin was associated as uncivilized, which was also assumed of Black people's behavioral make up. Fanon speaks of the "Negro" above as society's cultural representation of the villain and such a perception is reinforced through media amongst other things. He was forced to wear a white mask which embraced the language, and culture of the colonizer, making the Negro people dependent on the colonizer.

If Fanon believes what he has proposed, then he is indeed at the margins of the political order as a result of the oppression imposed upon his Blackness. He required to experience his being for whites but through the relation of others; herein lies his spiritual desire to find the meaning of his oppression, "to attain the source of the world."⁵¹ Fanon was a negro object midst other objects; through this relation to the political order as well the "others" to whom he was also in relation, he describes the attention of "others" to be concerned with "liberation."⁵² Indeed, he had been "burst apart" and now the fragments had been put together again by "another self."⁵³ Noteworthy here is that Fanon is existent both inside and outside the Western Man's world, in the *relation of exception*, an inclusive exclusion that constitutes his *homo sacer-with-emancipatory potential*, of which his Blackness was the center. Here, Fanon concretely describes the racialized enfleshment of his bare life as a non-citizen/human with political agency. If Fanon's description is reasonable, then he must be in possession of the very history of his flesh, rendering it emancipatory and transformative. Here we find a remarkable event that Agamben's theorizations of bare life fail to achieve. Fanon's powerful testimony requires that race take hold of the history as well as the present of suffering—not as mutually exclusive arenas but as interactive. The flesh carries the two (history, and the present) into a future in which they cannot be separated; they are alive simultaneously.

I understand Weheliye's distinction of body and flesh as essential: the body is a full subject by law; it belongs to the state, and the body is a citizen, which defines the category of the human and status of her/his oppression. However, the "self" can

⁵¹ Ibid., 109.

⁵² Ibid., 109-113

⁵³ Ibid.,

be possessed by both the citizen and *homo sacer*, it is flesh. Notable here are the first two aspects of the flesh: it is a bare life born of political violence, and a space for freedom beyond its bare existence. Here Weheliye heeds the words of Baby Suggs in Toni Morrison's *Beloved*: "in this here place, we flesh; flesh that weeps, laughs; flesh that dances on bare feet in grass. Love it hard. Yonder they do not love your flesh. They despise it."⁵⁴ The previous quote highlights the flesh as a space of pain, hate, love and laughter, a space that can be imagined but not easily described in concrete terms because, despite the violence of the body, the flesh flourishes anyhow.

This move by Weheliye brings me to a third aspect of the flesh: the body in a state of legal belonging. This aspect is the legal framework as it applies to the flesh: *habeas viscus* & *habeas corpus*. The legal writ of *habeas corpus*⁵⁵ is the defining notion of legal personhood as it concerns citizenship (bios). I understand the writ as a political safeguard against the misuse of power in the modern west. The Latin phrase literally means "you shall have the body," and a writ thereof requires that all criminalized persons go before a judge so as to provide legal justification for his/ her imprisonment. Here, all citizens are entitled to due process before the law *except* for in the case of distinct breach of law established by the political order. This breach is what constitutes Agamben's legal state of exception, which engenders *homo sacer*'s ban as the threshold of the political community. Given that the modern state bestows and rescinds humanity as an individualized legal status in the vein of property, the state insists that the suffering of *zoe* is the entry price for proper personhood (bios). For example, in human rights discourse the physical and psychological residues of political violence enable the victims to be recognized as belonging to the brotherhood of man.⁵⁶

⁵⁴ Weheliye quotes Toni Morrison's *Beloved* in *Habeas Viscus*, 125.

⁵⁵ Steven Gifts, *Law Dictionary*, (New York: Barron's Educational Series, Inc. 197) Pg. 93

⁵⁶ Alexander Weheliye, "After Man." *American Literary History*, vol. 20 no. 1, 2008, pp. 321-336. <https://muse.jhu.edu/article/233035>

Agamben neglects the fact that *habeas corpus* has been used both by and against racialized groups throughout U.S. history. One of the ways that this phenomenon acquires intelligibility is when Ponca tribal leader Standing Bear was jailed as a result of protesting the forced removal of his people from Indian Territory in 1879. *Habeas corpus* affected his release from incarceration; the judge determined that Native Americans were regarded as part of foreign governments, and may be naturalized as citizens of the United States so he was entitled to a trial. Chief Justice Taney stated that, “if an individual should leave his nation or tribe and take up his abode among the white population, [the he could be converted to whiteness or US citizenship.]”⁵⁷

The benefits acquired through legal recognition of racialized subjects as full humans often hinges on the arrangement of personhood as property, which is also based on the comparative distinction between groups. For instance, In one of the best-known cases in U.S. History, *Dred Scott vs. Stanford*, the Supreme Court invalidated Scott’s habeas corpus; since he was an escaped slave he could not be recognized as a legal person. According to Chief Justice Taney: “Dred Scott is not a citizen of the State of Missouri, as alleged in his declaration, because he is a negro of African descent; his ancestors were of pure African blood, and were brought into this country and sold as negro slaves.”⁵⁸ Justice Taney’s opinion contrasted the status of Black subjects with the legal position of Native Americans vis-à-vis the possibility of U.S. citizenship. In the judge’s comparison I see the dangers of yielding personhood to the law and of comparing different forms of political subjugation, since the personhood of Native Americans in the law depended on attaining whiteness (citizenship) and the denial of said status to Black subjects. While I grant that the indigenous and black peoples are not one and the same, I maintain that racializing assemblages or race is incalculable, incomparable, they are only relational, a form of solidarity. This conception of race is important because such comparisons undermine Black and Indigenous histories, erase their value, and reinforce the hierarchy as well as the appeal to the state to redress its own racism.

⁵⁷ Weheliye, *Habeas Viscus*, 77

⁵⁸ *ibid.*, 78

Legal personhood in the West comes with a steep entry price, seeing that the convertibility of Native Americans into whiteness provided the groundwork for the U.S. government's genocidal policies against them. As a result, whiteness constitutes a project of disappearance for Native peoples rather than signifying privilege. Whiteness serves as a prerequisite for the law's transforming of the flesh to be possessed into a property-owning subject, i.e., personhood as property.⁵⁹ Here the law recognizes that it manages the body of the citizen and *homo sacer*. However, the histories of whiteness are the paradigm against which both are measured. Given that many black and brown subjects do not share a history of whiteness; it can be said that they don't possess it as such. "The body is in a state of legal-belonging and self-possession."⁶⁰ The body is a full subject by law; it belongs to the state, the body is a citizen, which defines the category of the human. The self is the flesh in relation to the body and is therefore included in the body as such, rendering it able to be possessed by the citizen and the *homo sacer*.

What *habeas corpus* demands of Black folks for legal recognition is the conformity to and acceptance of categories thoroughly marinated in the sanguine fluids of white supremacy, colonialism and thus racism. Here, we follow Weheliye as he defines white supremacy as the "the logic of social organization that produces institutionalized, militarized conceptions of hierarchized human difference."⁶¹ Unlike bare life, the flesh is not an abject zone of exclusion that culminates in death but an alternate instantiation of humanity that does not rest on the paradigm western Man as the mirror image of human life.⁶² In Justice Taney's view Blackness is a central demarcation line between full humans and the others. Accordingly, for individual black life to be considered suitably human by the law, their Blackness must be killed over and over again. Remarkable here is Weheliye's concept of race because the denial of personhood qua whiteness to Black subjects is not opposed to genocidal wages of whiteness imposed upon indigenous subjects. Instead, such denials

⁵⁹ Cheryl Harris, "Whiteness as Property," Harvard Law Review 106.8 (1993): 1707-70.

⁶⁰ Weheliye, *Habeas Viscus*, 39-40.

⁶¹ *Ibid.*, 2

⁶² *Ibid.*, 43

represent different properties of the same racializing assemblage that produce both Black and Native subjects as aberrations from white “Man” and thus not-quite-human. Here racialization is at work with the differentiation of Native and Black peoples, and racism comparatively maps them onto a hierarchy. Weheliye follows Ruth Wilson Gilmore’s definition of racism as: “the state-sanctioned and/or extralegal production and exploitation of group-differentiated vulnerabilities to premature death.”⁶³ This definition locates racism in a field of bare humanity, highlighting the affinities between *homo-sacerization* and racialization. *Homo sacer* is inclusively excluded from the political community. This alterity is also visually marked, rendering homo sacer’s ban logical with the constraints of racial formation.

While I concede that the barring of subjects that belong to the homo sapiens community depends on the cleaving together or racialization and racism. I am unwilling to follow Agamben’s conception of bare life that operates outside the context of race. It does not acknowledge the distinction between genocidal logic in the case of the Native peoples, nor the logic of subordination or discrimination as it applies to the African slave. Agamben fails to engage with the question of a politics of bare life, which obviously comes into question when considering the bare life of Standing Bear and Dred Scott. Agamben’s bare life reinforces the exclusive Eurocentric, ahistorical paradigm essential to the modern politics of democracy. Weheliye’s flesh radically takes racialization as central to its understanding of the present, the past and imaginative future; race albeit not as a “biological or cultural classification, but as a set of sociopolitical processes of differentiation [racialization], and hierarchization [racism] which are projected onto the putatively biological human body [bare life].”⁶⁴ The zone between the flesh and the protections of the law qua whiteness are what reinforced the hierarchy of human differences.

In the view of Weheliye, the conjoining of flesh and habeas corpus in the compound phrase *habeas viscus* brings into view a relational interconnected modality of analysis of the human born of political violence (*viscus/flesh*). The phrase simultaneously keeps sight of the ways the law adjudicates who is deserving of personhood and who is not (*habeas*). I understand *habeas viscus* to mean that ‘you [the abusive central authorities of law inside the temporal world] shall have the flesh.’ Weheliye offers a corrective to the discourse on bare life, biopolitics and its

⁶³ Ibid., 55

⁶⁴ Ibid.,

insistence upon distancing itself from in the world realities of race, sexuality and gender. *Habeas Viscus* is a combination of the body and flesh, which signifies something other than it does in the world of Man, it does not make an appeal to the state as a site of liberation. The Latin phrase represents the figurations of humanity found in the tradition of the oppressed, which represent a series of distinct assemblages of what it means to be human in the modern world.⁶⁵ The particular assemblage under discussion above is *habeas viscus*, which is the fleshly foil of bare life in its insistence that the politicization of the biological always represents a racializing assemblage within, but most importantly beyond the law, and bare life. Weheliye writes:

If alternate forms of life . . . can flourish only after the complete obliteration of the law, then it would follow that our existence . . . stands and falls with the extant laws in the current codification of Man. This can blind us to the sorrow songs, smooth glitches, miniscule movements, shards of hope, scraps of food, and interrupted dreams of freedom that already swarm the ether of Man’s legal apparatus, which does not mean that these formations annul the brutal validity of bare life . . . or racializing assemblages but that Man’s juridical machines can never exhaust the plenitude of our world.⁶⁶

Habeas Viscus matters because the radicality of Weheliye’s project looks beyond the law for liberation.⁶⁷ *Habeas Viscus* is a lesson that de-centers the state, which is a characteristic that I seek to attribute to what I have called “the radical project of Black Studies.” *Habeas Viscus* insists on the importance of “minuscule movements, glimmers of hope, scraps of food, the interrupted dreams of freedom found in those

⁶⁵ Weheliye, *Habeas Viscus*, 12

⁶⁶ Ibid., 131

⁶⁷ Alexander Weheliye, personal e-mail message to author, February 22, 2017.

spaces deemed devoid of full human life.”⁶⁸ In other words, the oppressed should look inward for liberation, the state cannot grant liberation because the system is broken. If Black people want freedom, we need to ensure the basic needs of survival for ourselves and other poor and vulnerable people.

I follow Weheliye’s goal to construct a politics of subversion from the vantage point of Black Studies as it is the very space of utmost domination and political violence of Western democracy, that is the flesh. Furthermore, Weheliye promises to do so by bringing together the narratives of those who have been disregarded for centuries, and by imagining a ‘genre of the human’ that does not center itself on Eurocentric, male, white, heterosexual, and abled, understanding of the world. This is why he sees the flesh as the end of the world, and potential ruin of “Man”; ‘It’s the end of [Man’s] world —don’t you know that yet?’⁶⁹ Given that the systematic use of terror as a political tool of democracy is normalized and legalized in the united states of exception in our contemporary moment, what are the relational modes of being in the flesh? I resonate with *Habeas Viscus* because it networks different bodies, forces, velocities, intensities, interests, ideologies, and desires into racializing assemblages. Indeed, it is the space where the history and lived experiences of the marginalized are recognized, where despair and triumph are inherent in the same event and both work in tandem to radically announce the emancipatory potential of the flesh by the flesh, and not by the liberal state per se.

A good illustration of how the emancipatory potential of the flesh works across relational categories of subjugation is in “Spillers and the Emancipatory Potential of the flesh.” I will discuss a fourth aspect of the flesh, its ontological status having to do with its appearance as permanent. This discussion will include a critical analysis of Spillers’ “hieroglyphics of the flesh” and the ways in which her theorizations make the case that Blackness is central to humanity. As will be shown, Spillers’ project “Mama’s Baby Papa’s Maybe” makes the case that plantation slavery helps to establish the “hieroglyphics of the flesh” and thus, its emancipatory potential.

⁶⁸ Ibid., 12

⁶⁹ Ibid., 43

Spillers and the Emancipatory Potential of the Flesh

“The plantation is one of the bellies of the world, not the only one, one among many others, but it has the advantage of being able to be studied with the utmost precision . . . The place was closed, but the world derived from it remains open. This is one part, a limited part, of the lesson of the world.”⁷⁰ -- Edouard Glissant

For Spillers Blackness is central to humanity, which helps Black Studies to establish the emancipatory potential of the flesh. Her “hieroglyphics of the flesh” entail a history imprinted on the body that denotes one’s societal position, and at one point, to be Black was to be at the bottom of the social hierarchy. This understanding is tremendously important; it conceptualizes racial groups based on phenotype but infinitely transcends visual distinctions. The hieroglyphics allow the flesh to bear the weight of the past, present and future of marginalization as well as political agency; the differences are much more the visual, they are spiritual. The calculated work of iron, whips, chains, knives, the canine patrol, the bullet, and courts of law have engendered hieroglyphics so that racism would land its blow on the body of the world for generations to come.⁷¹ Here Spillers refers to these calculations as inscriptions that were registered on the captive bodies of African men and women during slavery, as well as creations by the instruments of terror qua European hegemonies. Although this terror is inscribed onto one’s physical being, these African subjects still find ways to speak without a voice and resist even as Agamben strips them of political agency. Agamben’s point is important because Spillers argues that the plantation exploits categories of race, gender, class, and sex, which help shape our configurations of humanity in the modern world. In my opinion, hieroglyphics of the flesh find application as the foundation that justifies privileging a Black Feminist discourse on “race” because it successfully executes the escape velocity from an economy of white supremacy through an inquiry into the plantation as central to the contemporary place of race.

⁷⁰ Edouard Glissant, *Poetics of Relation*, trans. Betsy Wing. Ann Arbor: University of Michigan Press 1997), 242.

⁷¹ Spillers, *Black White and In Color*, 67

In her groundbreaking essay, “Mama’s Baby, Papa’s Maybe: An American Grammar Book,” Spillers contends that her intellectual project was animated by the history of Black people. She found it absolutely necessary that Black studies “necessitate that Black women be in the conversation.”⁷² Spillers, therefore, intervenes in the tradition of Black studies via a feminist critique, which theorizes subjectivity from the standpoint and agency of Black women. Therefore, her project is transformative and literal in its unique name “An American Grammar Book.” She develops a vocabulary (through hieroglyphics of the flesh) “that does not choose between addressing the location of Black women within the aftermath of the transatlantic slave trade, and the imaginative liberation of the future in the anterior sense of the NOW.”⁷³

Through the Atlantic slave trade, Spillers rethinks racial formation with her concept of “the flesh.” Spillers describes the flesh as both opposed to the body and in parasitic relationship to it, with the distinction being central between liberated and captive subject positions. She states that “before the body there is ‘flesh,’ that zero degree of social conceptualization that does not escape concealment under the brush of discourse or reflexes of iconography.... We regard this human and social irreparability as high crimes against the flesh.”⁷⁴ Here the flesh is intelligible as the a zero degree of social conceptualization marked by three factors: first, the captive body as a source of irresistible, destructive sensuality, second, the captive body reduced to a “thing” that comes into being through and for the captor, and third, as an absence from a subject position with captured sexualities that provide a visual, physical and biological expression of otherness qua Black suffering. For Spillers, the flesh is that “zero degree” that is a primary narrative of the body, which has been divided, seared, ripped apart, riveted to the slave ship’s hole, or has escaped over board. On the slave ship there were two options, to escape over board and drown or be eaten by sharks, or to be subjugated to the captors. Resistance to such captivity was typically met with death, except for in the case of a successful mutiny. I understand the flesh as the space within, between and beyond bare life and death, with a potentiality for freedom and survival, while the body is captive.

⁷² Ibid.,

⁷³ Ibid.,

⁷⁴ Ibid.,

Spillers points to the flesh in one of the most pivotal aspects of William Goodell's study of contemporary North American slave codes, the tortures of enslavement. He narrates: "the smack of the whip is all day long in the ears of those who are on the plantation... and it is used with such dexterity and severity as not only to lacerate the skin, but to tear out small portions of the flesh at almost every stake."⁷⁵ Here, Spillers concentrates on the processes by which slaves are transformed into flesh via physical violence, "the calculated work of iron, whips, chains, knives, the canine patrol, the bullet."⁷⁶ This flesh carries the body of the African female and male to the frontiers of survival and bears in person the marks of a cultural text whose inside has been turned outside. I understand these markings as undecipherable, and in that, they render a kind of "hieroglyphics of the flesh," which are the disjunctures that evidence an ontological status of the flesh having to do with its appearance as permanent. In other words the inscriptions of that brutal history are "hidden to the cultural seeing of skin color."⁷⁷ To this end Spillers states: "we might well ask if this phenomenon of marking and branding actually transfers from one generation to another, finding its various symbolic substitutions in an efficacy of meanings that repeat the initiating moments?"⁷⁸ In other words, is the same suffering of the flesh fostered on the plantation maintained trans-generationally? Does such state-sanctioned terror appear in our contemporary moment? Does there exist freedom in the suffering of the flesh? If Spillers believes Goodell's narrative, (and she does,) then becoming flesh entails long historical and repeated processes of brutalization, domination, and violence. Furthermore, once groups are rendered flesh, this category is maintained trans-generationally, with the various inscriptions of that history carried on one's physical being, allowing them to repeat the initiating moments of bondage, but also emancipation.

⁷⁵ William Goodell, *The American Slave Codes in Theory and Practice Shown By Its Statutes, Judicial Decisions and Illustrative Facts*, 3rd ed. (New York: American and Foreign Anti-Slavery Society. 1853), 221.

⁷⁶ Spillers, *Black White and In Color*, 67

⁷⁷ Ibid.,

⁷⁸ Ibid.,

To this end, Spillers observes Edouard Glissant who addresses the question whether the flesh transfers across generations and whether there exists freedom in suffering as such. Ultimately, if Spillers takes the plantation as an inhabitation of the flesh, as “one of the bellies of the world, not the only one, one among many others, [which] has the advantage of being able to be studied with the utmost precision,”⁷⁹ then the plantation is “the place [that] was closed, [and] the world derived from it remains open. This is one part, a limited part, of the lesson of the world.”⁸⁰ For Spillers, such a lesson speaks specifically to the place of race in Black Studies, which must become an object of knowledge by recognizing its own image as a mode of knowledge production. That is, rather than assuming that Black Studies represents an already delineated field of objects, we must pay attention to the ways in which it contributes to the creation of its own objects of knowledge. I agree with Spillers in my belief that Black Studies as one of many racialized minority discourses is the speculative blueprint for new forms of humanity.⁸¹ After all, we need not look any further than the traditions of the oppressed to find solidarity amongst minority discourses.

Spillers is concerned with a specific conception of race that announces Black Liberation as an intersection of race, gender, class and sexuality. Race considered in the plantation forces the Black woman’s body to become a defenseless target for rape and veneration, and the body in its material and abstract phase, is a resource for metaphor. Materially, the Black body was deemed to be the non-human against which others were measured. Abstractly, plantation slavery seemingly constitutes blackness as bare life abused and devoid of political agency, measured against the exceptional terror of Man. She heeds the words of Black Feminist Scholar Sylvia Wynter, who states that: “our struggle as Black women has to do with the deconstruction of the Human of “Man.”⁸² If Spillers believes Wynter, then the struggle of Black woman is in juxtaposition to whiteness and has everything to do

⁷⁹ Edouard Glissant, *Poetics of Relation*, trans. Betsy Wing. Ann Arbor: University of Michigan Press 1997), 242.

⁸⁰ Ibid., 242.

⁸¹ Weheliye, *Habeas Viscus*, 18

⁸² Sylvia Wynter, “Beyond the Word of Man: Glissant and the New Discourse of the Antilles” (*World Literature Today* 63.4 1989) Pg. 637-48

with both the destruction of white supremacy qua racialization and a mobilization of the history that it refuses to acknowledge (race).

Spillers' concept of racism imagines the subject positions of Black men and women "that are unstable in their respective identities and transport us to a common historical ground, *inside* the socio-political order of New World."⁸³ Here, Spillers is referring to the "New world" with its human sequence written in blood, representing a scene of actual mutilation, dismemberment, and exile for its African and indigenous peoples. The diasporic plight of these peoples in such a political order marks the "theft of the body," where the body is severed from its motivations and desires of being. Here, Spillers provides evidence for the "ungendering and defacing project of African persons," where Africans were captured, stolen, and forsaken by gender difference as an outcome. This lack of gender difference is important because the female and male bodies become sites of racist political brutality and intensive labor that is not specific to gender norms.

To this point, Spillers heeds Angela Davis' imagination of the female flesh ungendered, where the African female is subject under *historic* conditions not only as the target of rape, but also specific externalized brutal torture and prostration which we imagine as the peculiar province of Black male brutality.⁸⁴ Spillers aligns with Davis inasmuch as she herself imagines a materialized scene of unprotected female flesh, which offers a praxis and theory, a text for living and dying and a method for reading both through their diverse mediations. As we see in restroom signs during legal segregation in the US south, there is a disregard of gender difference where there is only one entry way on the colored side. We might view this as discrimination, but it also represents an opportunity for imagining gender and sexuality otherwise, for embracing and dwelling in the ungendered flesh, for fully inhabiting the gift of *habeas viscus*. As a case in point, the ungendering of the Civil Rights era shows the conceptual contiguity of emancipatory potential from the plantation to Jim Crow. Throughout history and even today, racism has been defined

⁸³ Spillers, *Black White and In Color*, 67

⁸⁴ Angela Davis, *Women, Race and Class*. (New York: Random House Inc. 1981) Pg. 9

by dehumanization. The Civil Rights movement shows us that no matter how great resistance is, the state cannot guarantee a final solution to racism.

As stated earlier, Weheliye's thinking of the flesh was preconditioned by Spillers. However, I privilege Weheliye because his shifting configuration of race insists that the traditions of the oppressed are relational, but by no means comparable. If Spillers aligns with Weheliye's place of race, then her notion of the plantation gives exact expression to the intersectional categories race, gender, sex, and class left dormant in Agamben's bare life and awoken in Weheliye's *Habeas Viscus*. Therefore, we can conclude that the central place of Blackness in the plantation highlights the previously mentioned categories simultaneously. To do otherwise only reinscribes the very notion of the human as synonymous with Western Man. A Black Studies field that fails to put these categories of subjugation in the same conversation as Blackness cannot serve as a true harbinger of emancipation. Thus, Black Liberation and Black Studies must necessarily concern humanity writ large.

To this end, the emancipatory potential of the flesh seen in Spillers and Weheliye observes the claims of Angela Davis in her speech, "I am a Revolutionary Black Woman." Davis fundamentally displayed the importance of the assemblaged intersection of race, gender, class, and sexuality as a fundamental site of focus in the disciplinarity of Black studies as it corresponds to the production of bare life and biopolitics in the west. She states that, "the battle for women's liberation is especially critical with respect to the effort to build an effective Black Liberation Movement. For there is no question about the fact that as a group, black women constitute the most oppressed sector of society."⁸⁵ Here, Angela Davis is prophetic in her recognition not only of the economic condition and possession of the body/flesh by the institution of slavery, but also the sexual status of the Black woman as the breeder of property/slaves for the white slave master. If Davis believes her own observation, then she is aligned with Spillers' earlier observation of Wynter, which implies that: "if Black women were free, it would mean that everyone else would

⁸⁵ Angela Davis, "I'm A Revolutionary Black Woman," in *Let Nobody Turn Us Around: An African American Anthology*, ed. Manning Marable and Leith Mullings, (Oxford: Rowman & Littlefield Publishers, Inc. 2009), 459.

have to be free since our freedom would instantiate the destruction of all the systems of oppression.”⁸⁶

In *Freedom is A Constant Struggle*, Davis’ recognizes the need for movement building that consists of international liberation praxis that is typified on the dismantling of the ways in which race, class, gender, and sexuality shape the governing notions of what it means to be human. She is referring to Spillers’ “cultural text whose inside has been turned out,” a radical liberation praxis in spite of the oppressive state. Weheliye follows Davis in this radical praxis when he states that: “the flesh operates as a vestibular gash in the armor of Man, simultaneously a tool of dehumanization and a relational vestibule to alternate ways of being that do not possess the luxury of eliding phenomenology with biology.”⁸⁷ Put more simply, phenomenology and biology always interact together and cannot operate exclusively of each other. Therefore, to abolish the privileged notion of Man, we must first build social movements that consistently put into living theory and practice the humanity of all peoples, especially black and brown ones. Furthermore, the flesh, when understood as a product of race, is both a space of extreme domination and a space for extreme liberation, which recognizes the lived experiences and futures of the marginalized. In my view, Black Studies has a lesson for the world and a shift in the paradigm of the field to intersectionality is a way forward against white supremacy. The discussion of race, gender, class, and sexuality vis-a-vis the human as it appears on the plantation and in more benign forms in our contemporary moment is of utmost importance. Furthermore, in comparison Spillers and Weheliye both reject gender as an isolatable category, rather they highlight a complex relationality between different forms of oppression. As we have seen, the abolition of the plantation by the liberal state has not led to black and brown bodies reaping the full benefits of full citizenship, the futile attempts by the state to redress the suffering engendered in its threshold that is bare life have been unsuccessful. To call on the rule of law as a site of liberation might only blind the oppressed to the shards of hope, desires, and love

⁸⁶ Sylvia Wynter is quoted here by Weheliye in *Habeas Viscus*, 23.

⁸⁷ Weheliye, *Habeas viscus*, 44.

that has triumphed in spite of the rule, for freedom the oppressed need to look inward.

As will be shown in the next section that is the conclusion, Agamben, Weheliye, and Spillers' work in tandem to re-conceptualize the place of race in the discourse of modern politics, Weheliye insists that Agamben preempts an imaginative thinking of politics that actually rest in the tradition of the oppressed. This imagination is formally demonstrated by Spillers and Weheliye in their elucidations of a more inclusive body of thought that is Black Studies and the study of the plantation with the lens of bare life. To this end, Black Studies is based on the manifold ways in which race, gender, class, and sexuality shape the governing conception of what it means to be human and the emancipatory potential thereof.

Conclusion- Black Matters

Blackness and Black life have become the fleshly contrast for white Western Man. Black life is continuously made to appear as historical happenstance rather than as a mattering force that fundamentally structures every part of being in this world. Historically, Black lives have always mattered, and have always been the foundation of the political economy; we see this with plantation slavery, prisons, Jim Crow, and colonialism. These bodies exist at a convergence of racism, political violence, legal exclusion and capitalist accumulation. Such forces are not definitive; they only disguise the body's political agency and resistance as non-existent but can never reduce it as such. Nonetheless, the movement for Black lives as well as their study, both gesture toward the rejection of the current state of the world. Their rejections of Man's world capture a complex space of suffering and liberation. Weheliye makes it explicit that Black Studies has been a continuous space for the imagination of new worlds in alternative to white supremacy.

Though I am only just beginning my career as a participant observer of the field, I have inherited the Black Intellectual tradition, which is the legacy of African peoples who have sought to dismantle racism through social transformation. Spillers' "hieroglyphics of the flesh" point to Black Studies as it represents the continuous struggle of many Black lives to be and become understood as full, complicated human beings. However, I center Weheliye to focus heavily on the radicality of decentering the state as a site of liberation, in doing so I seek to empower the

struggle of the oppressed. The flesh is for those who try to subvert our world and imagine a new alternative. The flesh is the subject matter of Black Studies and exists on the margins of Man's world in suspension, prison, the ghetto, exile, perpetual flight, etc. The flesh still expresses itself whether the political institution recognizes it or not. Acknowledging the flesh is to acknowledge the long history of brutalization, the vulnerability and unconquerable spirit of the body all at once for the purpose of making emancipation anew. This historicizing allows the blackness to speak without a voice, to shriek, laugh, cry, and sing while recognizing that the state cannot be the solution.

The Flesh and Body of Black Studies are radical because they are bound. Together they provide a way of contemplating chaos and justice, desire and fear, and a mechanism for gauging the issues and blessings of freedom. As seen in Agamben's *Homo Sacer*, the palette of Man reifies the range of color not to celebrate Blackness, but to render it erased, and escaped. Excising the political from the life of the mind is a sacrifice that has cost many bodies. In spite of such atrocities, might it be so that the criteria and knowledge of Black Studies could emerge outside the Western European categories of domination? Might the tables turn to erase and escape the matters of class, sexual license, repression, and power? In this research I have chosen to take the long way of answering these questions, demonstrating that the Black Feminist discourse of Spillers, Weheliye, and Davis, all suggest that the answers to these issues must always simultaneously include race, gender, class, and sexuality. Such a conversation relates these categories of subjugation but can never be reduced to the demon of Man's hierarchal comparison. As Weheliye does, I proclaim that the struggle is one that is seemingly inexhaustible but assemblaged. If Black Studies recognizes itself in the mirror as such, the result could be a new emancipation.

In speaking of emancipation, Weheliye connects it to race through the use of three mechanisms. The first is his assertion that the plantation replaces the concentration camp as the essential site of focus in analyses of racialization, political violence, and the human. Secondly, Weheliye has provided useful insights into theorizing how the central place of Blackness helps us to conceptualize the operations of modern politics. And lastly, Weheliye works to destabilize the notion of the human, by insisting that we consider the ways in which racialized subjects embody alternative genres of the human. Weheliye's ultimate goal of *Habeas Viscus* is to conceptualize a liberation movement of the oppressed to radically decenter the

state from focus, and build the world where the subject of the dream is the dreamer. Here the dream is one where the vulnerabilities of different groups are not exploited to premature death, and *some* of the dreamers are people of color, poor and vulnerable. Might such a dream be reasonable? Does such a movement already exist? These questions are tremendously important because while it can be said that the poor people and people of color suffer the most, the entire society pays an intolerable price for permitting their anguish and death.

Given that the Black Lives Matter movement has been locked out of the category of the human for centuries, taking its form in one liberation movement or another, might the liberation project of Black Studies have at its heart the relationship of history and race in the creation of *homo sacer* and the flesh? If such a claim is reasonable, this movement joins movements around the world that no longer protest the establishment as much as they work to create alternative structures that might offer a chance at collective survival. We may never be able to discern with any certainty whether the system that created racism has the power to solve it. However, what is true is that everyone must be fought for, and the pain engendered in this tangled weave of relations is shared amongst thousands of marginalized communities who share the same plight. This research does raise the question whether there exists emancipatory potential in the suffering of the flesh which cannot be remedied by the liberal state?

This is a question that I would like to leave unanswered given that the undemocratic thing we call “democracy” is sustained by the very use exclusion and political violence as we have seen in Agamben’s, Weheliye’s and Spillers’ works. Moving forward, we must free the flesh, which recognizes the past, present, and future political agency of the marginalized. We must also use Black Studies as a vantage point to explore how the plantation did and still does plague our society. Such emancipation occasions for the potential ruin of “Man,” but also raises the questions: How might this new world look? Does it have laws? Structures? How might we go about imagining an ethics in which Blackness serves not as a template for the inhuman within the human, but as the very process of becoming human? After all, what is the substance that might be preferable to the false certainty of state solutions?

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