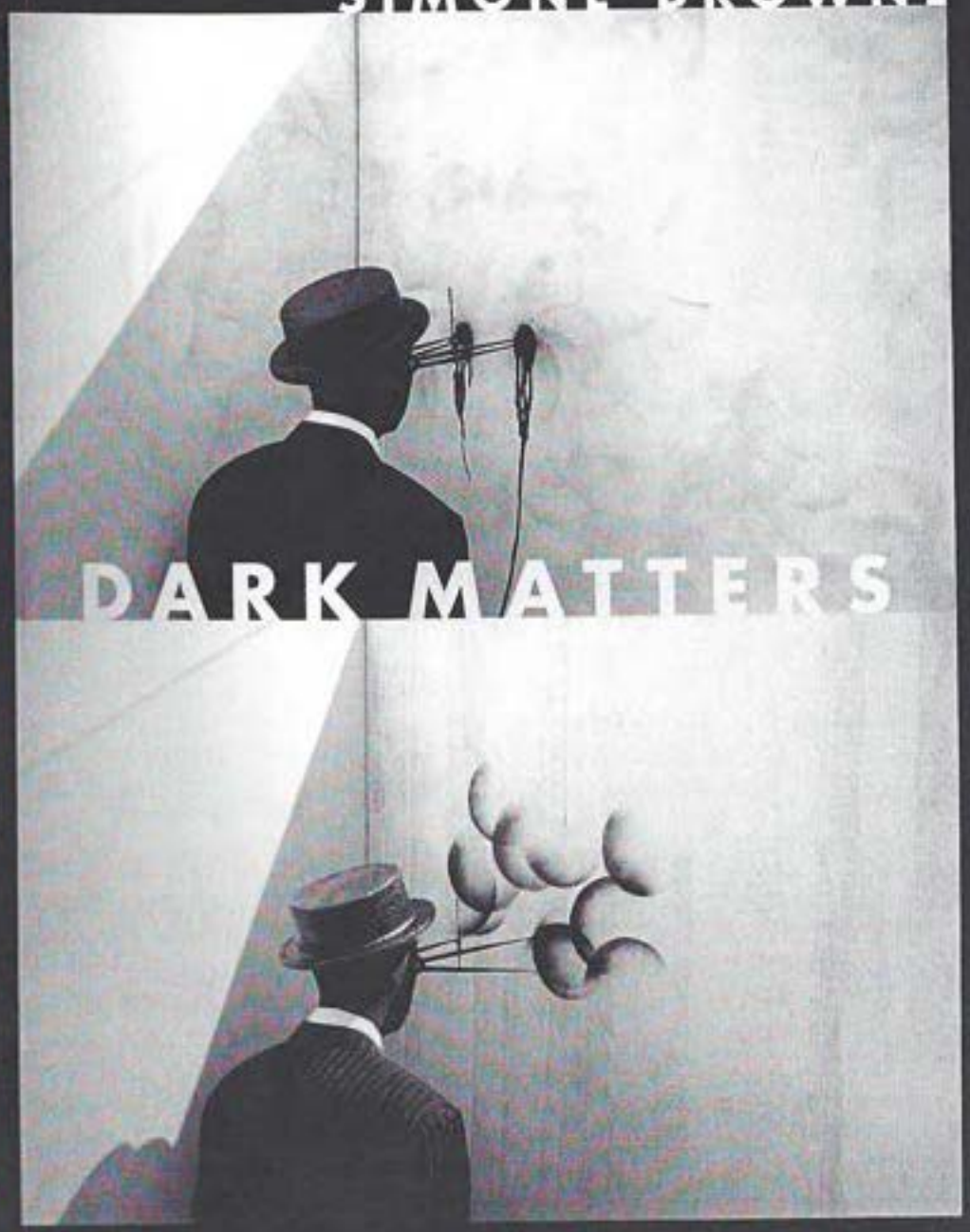
SIMONE BROWNE



DARK MATTERS

ON THE SURVEILLANCE OF BLACKNESS

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SIMONE BROWNE

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INTRODUCTION, AND OTHER DARK MATTERS

"The CIA can neither confirm nor deny the existence or nonexistence of records responsive to your request." Sometime in the spring of 2011, I wrote to the Central Intelligence Agency (CIA) and to the Federal Bureau of Investigation (FBI) to request the release of any documents pertaining to Frantz Fanon under the Freedom of Information Act (FOIA). At the time, I was interested in Fanon's travels to the United States of America in 1961, possibly under the nom de guerre Ibrahim Fanon, to receive treatment for myeloid leukemia. He arrived in the United States on October 3, staying at a hotel in Washington, DC, where he was "left to rot," according to Simone de Beauvoir, "alone and without medical attention."[1] Fanon was a patient at the National Institutes of Health Clinical Center in Bethesda, Maryland, from October 10, 1961, until he died of pneumonia on December 6, 1961. He was thirty-six. I didn't get any documents from the CIA except a letter citing Executive Order 13526 with the standard refrain that the agency "can neither confirm nor deny the existence or nonexistence of records," and further stating that "the fact of the existence or nonexistence of requested records is currently and properly classified and is intelligence sources and methods information that is protected from disclosure."

Fanon's FOIA files that were released to me by the FBI consist only of three declassified documents: Document #105-96959-A—a clipping of a 1971 *Washington Post-Times Herald* article on Fanon's "Black Power Message" and its continuing influence on the Caribbean island of Martinique, where he was born; Document #105-96959-1—a once "SECRET" memo on Fanon dated March 9, 1961; and Document #105-96959-2—a book review of David Caute's 1970 biography *Frantz Fanon*, filed under "extremist matters," which says of Caute that "his methodology bears the Marxist stamp" and that "he is no friend of the United States or of a free society." Document #105-96959-A, the news clipping, names *The Wretched of the Earth* (1963)

as Fanon's most important book, stating, "its sales have run unusually high lately, especially among young Negroes." Document #105-96959-2, the FBI's own review of Caute's biography, describes Fanon as a "black intellectual," a "radical revolutionary," and "a philosophical disciple of Karl Marx and Jean Paul Sartre, [who] preached global revolt of the blacks against white colonial rule," and says that Fanon's *The Wretched of the Earth* is "often quoted and misquoted by Stokely Carmichael and other black power advocates, both foreign and domestic." This review also claims that "Fanon's importance has been inflated into exaggerated dimensions by the need of black revolutionaries for philosophical justification and leadership." Traces of Fanon's influence appear in other declassified FBI documents where either he or his published books are named, including some documents that detail the bureau's surveillance of the Black Panther Party.

Although much of the information on the once "SECRET" FBI memo on Fanon, Document #105-96959-1 (figure 1.1), has been redacted, meaning that some of its information is censored, concealed, or otherwise covered up, this memo names Fanon as "the Algerian representative in Ghana for the Algerian Front for National Liberation (FLN)" and notes that he was, at the time, in Tunisia preparing to travel to Washington, DC, for "extensive medical treatment." This memo is from Sam J. Papich, the bureau's liaison to the CIA. It is interesting to note here that the redaction of Document #105-96959-1 took the form of a whiteout, concealing a good portion of the original text with white blocks, in this way deviating from the method of censoring the redacted data with opaque black blocks, rendering any information in the dark. We can think of the redaction here as the willful absenting of the record and as the state's disavowal of the bureaucratic traces of Fanon, at least those which are made publicly available. Here Frantz Fanon is a nonnameable matter. Now dead, yet still a "currently and properly classified" security risk, apparently, as "the fact of the existence or nonexistence" of Fanon's records itself is "intelligence sources and methods information that is protected from disclosure." With this, the redaction and Executive Order 13526 could be understood as a form of security theater where certain "intelligence sources and methods," if in existence, could still be put into operation, and as such could not be declassified.

Fanon's FOIA files form a part of the long history of the collection of intelligence on the many black radicals, artists, activists, and intellectuals who were targeted for surveillance by the FBI. This list includes Assata Shakur,

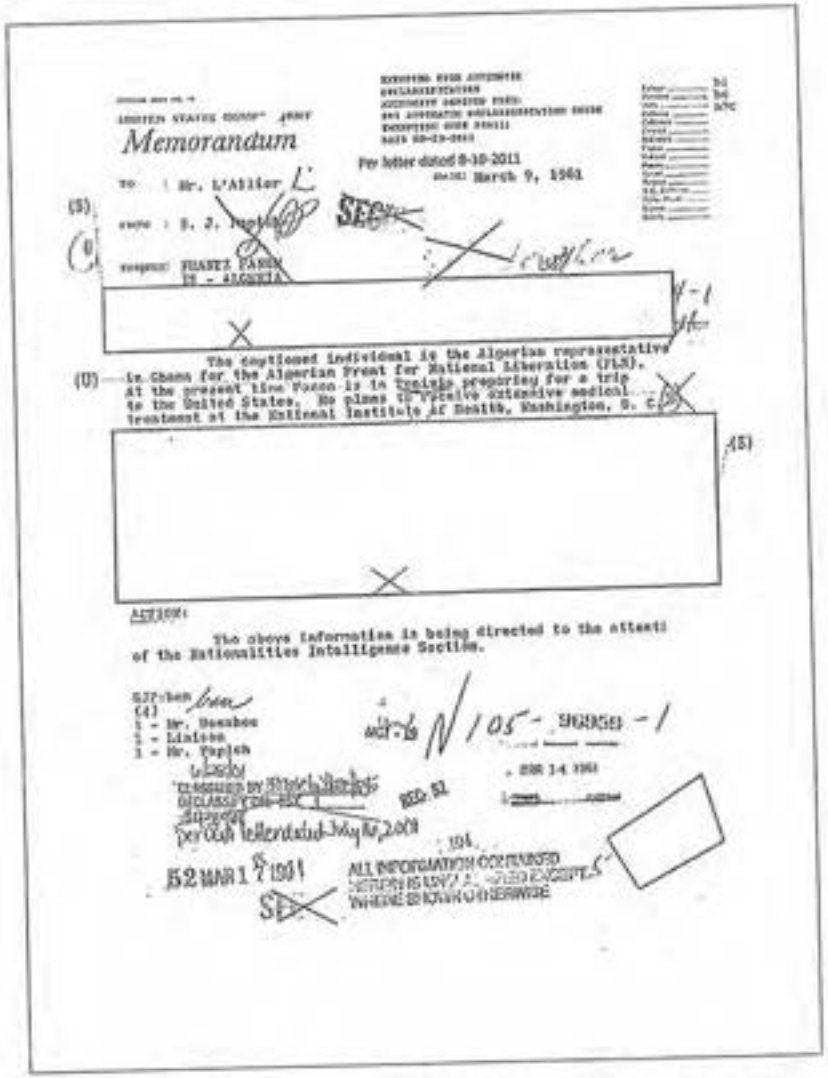
James Baldwin, Lorraine Hansberry, Stokely Carmichael, the Student Nonviolent Coordinating Committee, the Freedom Riders, Martin Luther King Jr., Elijah Muhammad and the Nation of Islam, Claudia Jones, Malcolm X, Fred Hampton, William Edward Burghart DuBois, Fannie Lou Hamer, Cyril Lionel Robert James, Mumia Abu-Jamal, Angela Yvonne Davis, Richard Wright, Ralph Ellison, Josephine Baker, Billie Holiday, the Black Panther Party, Kathleen Cleaver, Cassius Clay, Jimi Hendrix, and Russell Jones aka Ol' Dirty Bastard of the Wu-Tang Clan, among many, many others. The declassified printed matter released to me by the FBI was not particularly revealing regarding any surveillance and monitoring of Frantz Fanon. I was disappointed. My own surveillance of the records of the FBI's surveillance of Fanon had apparently been stalled.

In the foreword to the 2005 edition of *The Wretched of the Earth*, Homi Bhabha describes Fanon's dying days as filled with delirium and with a love for liberation:

> his body was stricken, but his fighting days were not quite over; he resisted his death "minute by minute," a friend reported from his bedside, as his political opinions and beliefs turned into the delirious fantasies of a mind raging against the dying of the light. His hatred of racist Americans now turned into a distrust of the nursing staff, and he awoke on his last morning, having probably had a blood transfusion through the night, obsessed with the idea that "they put me through the washing machine last night." His death was inevitable.[2]

Les damnés de la terre (1961) would be the last of his books that Fanon would live to see published. He was in the hospital in Maryland when he heard some initial reviews of the book and he reportedly stated, "'That's not going to get me my marrow back."[3] A letter to a friend penned from his hospital bed captures Fanon's rage "against the dying of the light" as both a battle of the body against disease and an anticolonial praxis:

> During a night and day surveillance, they inject me with the components of blood for which I have a terrible need, and where they give me huge transfusions to keep me in shape—that's to say, alive. . . . What shocks me here in this bed, as I grow weaker, is not that I'm dying, but that I'm dying in Washington of leukemia considering that I could have died in battle with the enemy three months ago when I



Memorandum

To : Mr. L'Allier

From : S. J. [illegible]

Subject: FRANTZ FANON
IS - ALGERIA

For letter dated 8-10-2011

Date: March 9, 1961

The captioned individual is the Algerian representative in Ghana for the Algerian Front for National Liberation (FLN). At the present time Fanon is in Tunisia preparing for a trip to the United States. He plans to receive extensive medical treatment at the National Institute of Health, Washington, D. C.

ACTION:

The above information is being directed to the attention of the Nationalities Intelligence Section.

105-96959-1

52 MAR 17 1961

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

FIGURE 1.1. "SECRET" FBI memo on Frantz Fanon, Document #105-96959-1.

knew I had this disease. We are nothing on earth if we are not, first of all, slaves of a cause, the cause of the people, the cause of justice, the cause of liberty.[4]

Fanon wrote much of the anticolonial *Les damnés de la terre* as his time was running out. He knew that his cancer was terminal, which brought writing the book "down to the wire," as he put it.[5] At the time he was in exile in Tunisia after being expelled from Algeria in January 1957 by the French authorities for his work with the Front de Libération Nationale (FLN). During his exile in Tunisia, home to the FLN's headquarters, Fanon took on multiple roles. He worked at the FLN's newspaper *El Moudjahid*, served in refugee camps run by the FLN near the Algerian border, was *chef de service* at the psychiatric hospital of Manouba, and was also the Algerian provisional government's delegate to Mali and other African nations. While in exile, Fanon gave a series of lectures at the University of Tunis on surveillance, the psychic effects of war and colonialism on the colonized, and antiblack racism in the United States.[6] In the notes from these lectures, Fanon speaks of the problem of racial segregation in the United States, or the "color bar" as he names it, where antiblack racism is constant and multilayered, emotional and affective. He mentions the themes of escape and blackness on the move found in Negro spirituals, the haunting lyrics of blues music and social death, Harlem and the writings of African American novelist Chester Himes, the rigidity of the color line and its nagging presence, African American vernacular and code-switching ("quand un Noir s'adresse à un Blanc") and repressive policing practices ("Quand un Noir tue un Noir, il ne se passe rien; quand un Noir tue un Blanc, toute la police est mobilisée").[7] Fanon's lectures on surveillance at the University of Tunis were eventually canceled, by order of the Tunisian government.[8]

During these lectures Fanon put forth the idea that modernity can be characterized by the "mise en fiches de l'homme." These are the records, files, time sheets, and identity documents that together form a biography, and sometimes an unauthorized one, of the modern subject. In a manner similar to the detailed case histories of colonial war and mental disorders found in the fifth chapter of *The Wretched of the Earth*, in a section of the notes on these lectures titled "Le contrôle et la surveillance" (in English "Surveillance and Control"), Fanon demonstrates his role as both psychiatrist and social theorist, by making observations, or social diagnoses, on the embodied effects and outcomes of surveillance practices on different

categories of laborers when attempts are made by way of workforce supervision to reduce their labor to an automation: factory assembly line workers subjected to time management by punch clocks and time sheets, the eavesdropping done by telephone switchboard supervisors as they secretly listened in on calls in order to monitor the conversations of switchboard operators, and the effects of closed-circuit television (CCTV) surveillance on sales clerks in large department stores in the United States. This is control by quantification, as Fanon put it. The embodied psychic effects of surveillance that Fanon described include nervous tensions, insomnia, fatigue, accidents, lightheadedness, and less control over reflexes. Nightmares too: a train that departs and leaves one behind, or a gate closing, or a door that won't open. Although Fanon's remarks on CCTV surveillance are short, they are revealing as he suggests that these cameras are trained not only on the potential thief, but also on the employee working on the shop floor who is put on notice that the video surveillance is perpetual. He also noted that workers displayed microresistances to managerial control in the way of sick leave, expressing boredom on the job, arriving late, and sometimes not arriving at work at all. Rather than being thought of as unproductive, such acts must be understood as disalienating, as they are strategic means of contesting surveillance in the workplace.

Although only the notes from these lectures remain, Fanon's observations on the monitoring of audio communications and CCTV are nevertheless instructive for the social diagnosis of alienation and the effects of modernity, surveillance, and resistance that he offers. If one were to read these lectures "optimistically," as Nicholas Mirzoeff has suggested, "had he lived longer, Fanon might have moved away from his emphasis on masculinity to imagine new modes of postrevolutionary gender identity, as part of this analysis of the racialized disciplinary society, a connection made by many radical black feminists in the United States from Angela Davis to Toni Cade Bambara and bell hooks."[9] I enter *Dark Matters: On the Surveillance of Blackness* with this sense of optimism in mind: that in Fanon's works and in the writings of black feminist scholars, another mode of reading surveillance can be had.

Dark Matters begins with a discussion of my failed attempt to get my hands on any information from the CIA pertaining to Fanon, his FBI FOIA file, the short notes that remain from his lectures on surveillance, and an excerpt from his letter to a friend recounting the "night and day surveillance" that he experienced as he was on the brink of death as a way to cue surveillance in and of black life as a fact of blackness. My gesture to "The Fact of

Blackness," one of the English translations of the title of the fifth chapter of Fanon's *Black Skin, White Masks*, is a deliberate signal to the facticity of surveillance in black life. First published in 1952 as *Peau Noire, Masques Blancs*, the book's fifth chapter in the French original is "L'expérience vécue du Noir." As Sylvia Wynter and others have noted, the translation of that chapter's title into English as "The Lived Experience of the Black" in later editions offers a more accurate understanding. It is this slight difference between the two titles—"The Fact of Blackness" and "The Lived Experience of the Black"—that I want to signal here. The "Blackness" in the former could be taken to mean, as Wynter has put it, "*Blackness* as an objective fact" while "The Lived Experience of the Black" speaks to a focus on the imposition of race in black life, where one's being is experienced through others.[10] Wynter continues her discussion of Fanon and sociogeny to say that "The Lived Experience of the Black" makes clear that Fanon is dealing "with the 'subjective character' of the experience of the black, of, therefore, what it is *like* to be black, within the terms of the mode of being human specific to our contemporary culture."[11]

Sociogeny, or what Wynter calls "the sociogenic principle," is understood as the organizational framework of our present human condition that names what is and what is not bounded within the category of the human, and that fixes and frames blackness as an object of surveillance. Take, for example, Fanon's often-cited "Look, a Negro!" passage in *Black Skin, White Masks* on the experience of epidermalization, where the white gaze fixes him as an object among objects and, he says, "the white gaze, the only valid one, is already dissecting me."[12] Epidermalization here is the imposition of race on the body. For Fanon, there is no "ontological resistance" in spaces, like that train he rode in France, that are shaped for and by whiteness, where "instead of one seat, they left me two or three," he writes.[13] *Dark Matters* takes up blackness, as metaphor and as lived materiality, and applies it to an understanding of surveillance. I work across multiple spaces (the airport, the plan of the *Brooks* slave ship, the plan for Jeremy Bentham's Panopticon, Internet art) and different segments of time (the period of transatlantic chattel slavery, the British occupation of New York City during the American Revolution, post-9/11) to think through the multiplicities of blackness. This method of analyzing surveillance and the conditions of racial blackness brings historical documents, art, photography, contemporary popular film and television, and various other forms of cultural production into dialogue with critical race scholarship, sociological theory,

and feminist theorizing. For this study, I look to Pamela Z's multimedia project on travel and security, *Baggage Allowance*; Adrian Piper's *What It's Like, What It Is #3*; Caryl Phillips's epistolary story "The Cargo Rap" on prisons, politics, and slavery; and Hank Willis Thomas's commentary on branding and the afterlife of slavery in his *B®anded* series. Part of the argument presented here is that with certain acts of cultural production we can find performances of freedom and suggestions of alternatives to ways of living under a routinized surveillance. In this fashion, I am indebted to Stuart Hall's unsettling of understandings of "cultural identity" that does not see the black diaspora and black experiences as static or singular, but instead as "a result of a long and discontinuous series of transformations."[14] Following Rinaldo Walcott here, my use of the term "blackness" is to "signal blackness as a sign, one that carries with it particular histories of resistance and domination" that is "never closed and always under contestation."[15] Blackness is identity and culture, history and present, signifier and signified, but never fixed. As Ralph Ellison names it in *Invisible Man*, "Black is . . . an' black ain't."[16]

Fanon's "Look, a Negro!," his articulations of epidermalization, and his anticolonial thought have influenced the formation of this book. *Dark Matters* suggests that an understanding of the ontological conditions of blackness is integral to developing a general theory of surveillance and, in particular, racializing surveillance—when enactments of surveillance reify boundaries along racial lines, thereby reifying race, and where the outcome of this is often discriminatory and violent treatment. Of course, this is not the entire story of surveillance, but it is a part that often escapes notice. Although "race" might be a term found in the index of many of the recent edited collections and special journal issues dedicated to the study of surveillance, within the field of surveillance studies race remains undertheorized, and serious consideration has yet to be given to the racial subject in general, and to the role of surveillance in the archive of slavery and the transatlantic slave trade in particular. It is through this archive and that of black life after the Middle Passage that I want to further complicate understandings of surveillance by questioning how a realization of the conditions of blackness—the historical, the present, and the historical present—can help social theorists understand our contemporary conditions of surveillance. Put another way, rather than seeing surveillance as something inaugurated by new technologies, such as automated facial recognition or unmanned autonomous vehicles (or drones), to see it as ongoing is to in-

sist that we factor in how racism and antiblackness undergird and sustain the intersecting surveillances of our present order. Patricia Hill Collins uses the term "intersectional paradigms" to signal that "oppression cannot be reduced to one fundamental type, and that oppressions work together in producing injustice."[17] Indebted to black feminist scholarship, by "intersecting surveillances" I am referring to the interdependent and interlocking ways that practices, performances, and policies regarding surveillance operate.

The concept of dark matter might bring to mind opacity, the color black, limitlessness and the limitations imposed on blackness, the dark, antimatter, that which is not optically available, black holes, the Big Bang theory, and other concerns of cosmology where dark matter is that nonluminous component of the universe that is said to exist but cannot be observed, cannot be re-created in laboratory conditions. Its distribution cannot be measured; its properties cannot be determined; and so it remains undetectable. The gravitational pull of this unseen matter is said to move galaxies. Invisible and unknowable, yet somehow still there, dark matter, in this planetary sense, is theoretical. If the term "dark matter" is a way to think about race, where race, as Howard Winant puts it, "remains the *dark matter*, the often invisible substance that in many ways structures the universe of modernity," then one must ask here, invisible to whom?[18] If it is often invisible, then how is it sensed, experienced, and lived? Is it really invisible, or is it rather unseen and unperceived by many? In her essay "Black (W)holes and the Geometry of Black Female Sexuality," Evelyn Hammonds takes up the astrophysics of black holes found in Michele Wallace's discussion of the negation of black creative genius to say that if "we can detect the presence of a black hole by its effects on the region of space where it is located," where, unseen, its energy distorts and disrupts that around it, from that understanding we can then use this theorizing as a way to "develop reading strategies that allow us to make visible the distorting and productive effects" of black female sexualities in particular, and blackness in general.[19] Taking up blackness in surveillance studies in this way, as rather unperceived yet producing a productive disruption of that around it, *Dark Matters* names the surveillance of blackness as often unperceivable within the study of surveillance, all the while blackness being that nonnameable matter that matters the racialized disciplinary society. It is from this insight that I situate *Dark Matters* as a black diasporic, archival, historical, and contemporary study that locates blackness as a key site through which surveillance is practiced, narrated, and enacted.

Surveillance is nothing new to black folks. It is the fact of antiblackness. This book is not intended to be a comprehensive overview of the ways that black people and blackness have come under, or up against, surveillance. Of the scholars that have written about surveillance as it concerns black people, many have taken as their focus the FBI Counterintelligence Program (COINTELPRO) that ran from 1956 until 1971 and that saw individuals and domestic political organizations deemed subversive, or potentially so, come under investigation by the bureau with the aim of disrupting their activities, discrediting their efforts, and neutralizing their effects, often through infiltration, disinformation, and the work of informants. Sociologist Mike Forrest Keen's study of the FBI's surveillance of sociologists such as W. E. B. DuBois and E. Franklin Frazier, David Garrow's *The FBI and Martin Luther King Jr.*, Theodore Kornweibel on the FBI's surveillance of the activities of Marcus Garvey and the United Negro Improvement Association through the use of informants and disinformation, or Carole Boyce Davies's writings on the intense FBI scrutiny of Trinidadian activist, Marxist, and journalist Claudia Jones, for example, form part of this scholarly work. Other research examines policing with a focus on racism, state power, and incarceration, such as the works of Ruth Wilson Gilmore, Angela Davis, Joy James, Dylan Rodriguez, and more. James Baldwin, Toni Cade Bambara, bell hooks, and Ralph Ellison have all, in different ways, written on being looked at and on seeing black life. For instance, in *The Evidence of Things Not Seen*, James Baldwin describes black suffering under the conditions of antiblackness where, as he puts it, "it is a very grave matter to be forced to imitate a people for whom you know—which is the price of your performance and survival—you do not exist. It is hard to imitate a people whose existence appears, mainly, to be made tolerable by their bottomless gratitude that they are not, thank heaven, *you*."[20] Toni Cade Bambara's call for emancipatory texts to "heal our imperialized eyes" as well as bell hooks's naming of the interrogating, "oppositional gaze" as "one that 'looks' to document" form part of this critical take on black looks.[21] Ralph Ellison's critiques and quarrels with what is taken as canonical sociology and the ways in which much of its early racial knowledge production was achieved by distorting blackness has been detailed by Roderick Ferguson. In *Aberrations in Black: Toward a Queer of Color Critique*, Ferguson offers an analysis of an unpublished chapter of Ellison's *Invisible Man* where he examines the ways that canonical sociology made itself out to be a discipline through the "sociologization" of black sexuality by way of surveillance. On

sociologization, Ferguson writes, "canonical sociology would help transform observation into an epistemological and 'objective' technique for the good of modern state power. This was a way of defining surveillance as a scientifically acceptable and socially necessary practice. It established the sociological onlooker as safely removed and insulated from the prurient practices of African American men, women and children."[22]

As ethnography, tallying, and "statistics helped to produce surveillance as one mode, alongside confession, for producing the truth of sexuality in Western society," when this mode concerned the measurement of black human life in the post-Emancipation United States, such racial logics often made for sociology as a population management technology of the state.[23] One example of how such sociologization functioned in relation to blackness is "The Conflict and Fusion of Cultures with Special Reference to the Negro," Robert Park's 1918 address to the meeting of the American Sociological Society in which he stated, "The Negro is, by natural disposition, neither an intellectual nor an idealist like the Jew, nor a brooding introspective like the East Indian, nor a pioneer and frontiersman, like the Anglo-Saxon. He is primarily an artist, loving life for its own sake."[24] Park, who in 1925 would become president of the American Sociological Society, continued his address by saying, "The Negro is, so to speak, the lady among the races."[25] Park's address is instructive regarding the tenets of gendered antiblack racism that shaped the discipline of sociology in the early twentieth century. It is accounts of blackness like these that influenced Ellison's quarrels with sociological discourse, or what he called in his introduction to *Invisible Man* "the bland assertions of sociologists," where in observing, tallying, quantifying, indexing, and surveilling, black life was made "unvisible."[26]

Dark Matters stems from a questioning of what would happen if some of the ideas occurring in the emerging field of surveillance studies were put into conversation with the enduring archive of transatlantic slavery and its afterlife, in this way making visible the many ways that race continues to structure surveillance practices. This study's objects of investigation include the plan of the *Brooks* slave ship, the Panopticon, the *Book of Negroes* as a record of black escape from New York in the late 1700s, branding of enslaved people in transatlantic slavery, slave passes and runaway notices, lantern laws in eighteenth-century New York City that mandated enslaved people carry lit candles as they moved about the city after dark, a set of rules from the 1800s specifying the management of slaves on an East Texas

plantation, and the life of a young woman named Coobah who was enslaved in eighteenth-century Jamaica. If we are to take transatlantic slavery as antecedent to contemporary surveillance technologies and practices as they concern inventories of ships' cargo and the cheek-by-jowl arrangement laid out in the stowage plan of the *Brooks* slave ship, biometric identification by branding the slave's body with hot irons, slave markets and auction blocks as exercises of synoptic power where the many watched the few, slave passes and patrols, manumission papers and free badges, black codes and fugitive slave notices, it is to the archives, slave narratives, and often to black expressive practices, creative texts, and other efforts that we can look for moments of refusal and critique. Slave narratives, as Avery Gordon demonstrates, offer us "a sociology of slavery and freedom."[27] To paraphrase Gordon here, through their rendering of the autobiographical, the ethnographic, the historical, the literary, and the political, slave narratives are sociological in that they reveal the social life of the slave condition, speak of freedom practices, and detail the workings of power in the making of what is exceptional—the slave life—into the everyday through acts of violence.[28]

Surveillance Studies

In this section, I provide a brief overview of key terms and concepts, some of them overlapping, as they relate to the concerns of this book. This is not meant to be a comprehensive review of the field of surveillance studies, but rather it is done to put this book into conversation with that body of research and writing and to also introduce the two main, interrelated conceptual schemes of this book: racializing surveillance and dark sousveillance. Research and writing that falls under the rubric of surveillance studies has come from a range of disciplines including sociology, geography, cultural studies, organization studies, science and technology studies, criminology, and critical theory. As an interdisciplinary field of study, the questions that shape surveillance studies center on the management of everyday and exceptional life—personal data, privacy, security, and terrorism, for example. In their introduction to *The Surveillance Studies Reader*, Sean Hier and Joshua Greenberg note that although "a qualitative shift in surveillance took place after 9/11," there still remains a certain absence in the literature "on the pre-9/11 forms of surveillance that made post-9/11 surveillance

possible."[29] *Dark Matters* seeks to make an intervention in the literature by naming the "absented presence" of blackness as part of that absence in the literature that Hier and Greenberg point to. In the sense that blackness is often absented from what is theorized and who is cited, it is ever present in the subjection of black motorists to a disproportionate number of traffic stops (driving while black), stop-and-frisk policing practices that subject black and Latino pedestrians in New York City and other urban spaces to just that, CCTV and urban renewal projects that displace those living in black city spaces, and mass incarceration in the United States where, for example, black men between the ages of twenty and twenty-four are imprisoned at a rate seven times higher than white men of that age group, and the various exclusions and other matters where blackness meets surveillance and then reveals the ongoing racisms of unfinished emancipation.[30] Unfinished emancipation suggests that slavery matters and the archive of transatlantic slavery must be engaged if we are to create a surveillance studies that grapples with its constitutive genealogies, where the archive of slavery is taken up in a way that does not replicate the racial schema that spawned it and that it reproduced, but at the same time does not erase its violence.

Since its emergence, surveillance studies has been primarily concerned with how and why populations are tracked, profiled, policed, and governed at state borders, in cities, at airports, in public and private spaces, through biometrics, telecommunications technology, CCTV, identification documents, and more recently by way of Internet-based social network sites such as Twitter and Facebook. Also of focus are the ways that those who are often subject to surveillance subvert, adopt, endorse, resist, innovate, limit, comply with, and monitor that very surveillance.[31] Most surveillance, as David Lyon suggests, is "practiced with a view to enhancing efficiency, productivity, participation, welfare, health or safety," leaving social control "seldom a motivation for installing surveillance systems even though that may be an unintended or secondary consequence of their deployment."[32] Lyon has argued that the "surveillance society" as a concept might be misleading, for it suggests "a total, homogeneous situation of being under surveillance" rather than a more nuanced understanding of the sometimes discreet and varying ways that surveillance operates.[33] He suggests that we should look more closely at "sites of surveillance," such as the military, the state, the workplace, policing, and the marketplace in order to come to an understanding of the commonalities that exist at these various sites. For Lyon, looking at contemporary sites of surveillance requires us to examine

some "common threads" including rationalization (where reason "rather than tradition, emotion or common-sense knowledge" is the justification given for standardization), technology (the use of high-technology applications), sorting (the social sorting of people into categories as a means of management and ascribing differential treatment), knowledgeability (the notion that how surveillance operates depends on "the different levels of knowledgeability and willing participation on the part of those whose life-details are under scrutiny"), and urgency (where panic prevails in risk and threat assessments, and in the adoption of security measures, especially post-9/11).[34]

In *Private Lives and Public Surveillance* (1973), James Rule set out to explore commonalities within sites of surveillance as well by asking whether the "sociological qualities" of the totalizing system of surveillance as depicted in George Orwell's *1984* could be seen in computer-mediated modern systems of mass surveillance in the United States and Britain, such as policing, banking, and national health care schemes.[35] Rule found that although the bureaucratic systems he studied did not function as malevolently as in *1984*, Orwell's novel served as a "theoretical extreme" from which to analyze a given system's capacity for surveillance, in other words, how near it comes to replicating an Orwellian system of total control.[36] Using this rubric, Rule concludes that a large-scale and long-enduring surveillance system could be limited in its surveillance capacity in four ways: due to size, the centralization of its files, the speed of information flow, and restrictions to its points of contact with its clientele. Although much has changed with regard to innovations in information technologies, machine intelligence, telecommunications, and networked cloud computing since the time of Rule's study in the late 1960s and early 1970s, *Private Lives* is instructive in its understanding of the workings of centralized and diffused power by state and private actors and institutions, and for identifying earlier developments in what Gary T. Marx has called "the new surveillance."[37]

What makes "the new surveillance" quite different from older and more traditional forms of social control is laid out by Marx in a set of ten characteristics that these new technologies, practices, and forms of surveillance share to varying degrees: (1) it is no longer impeded by distance or physical barriers; (2) data can be shared, permanently stored, compressed, and aggregated more easily due to advances in computing and telecommunications; (3) it is often undetected, meaning that "surveillance devices can either be made to appear as something else (one-way mirrors, cameras

hidden in a fire extinguisher, undercover agents) or can be virtually invisible (electronic snooping into microwave transmission or computer files)"; (4) data collection is often done without the consent of the target, for example with noncooperative biometric tagging and matching at a casino or a sporting event, or Facebook's prompt to "tag your friends" using the photo tag suggest feature; (5) surveillance is about the prevention and management of risk through predictive or anticipatory means; (6) it is less labor intensive than before, opening up the possibility for monitoring that which was previously left unobserved, like the detection of illegal marijuana grow-ops by thermal cameras set to sense unusually high temperatures or the detection of illicit bomb making by collecting and testing chemical air samples; (7) it involves more self-surveillance by way of wearable computing or "electronic leashes" such as fitness trackers or other means by which people come to monitor themselves; (8) the presumption of guilt is assigned to some based on their membership within a particular category or grouping; (9) technological innovations have made for a more intensive and interiorizing surveillance where the body is concerned, for example, with voice analysis that is said to measure stress as a way to differentiate between lies and truths; and (10) it is now so intense and with reduced opportunities to evade it that "the uncertainty over whether or not surveillance is present is an important strategic element."[38] With these developments regarding the scope and scale of surveillance, Marx has suggested that perhaps we have become a "maximum-security society."

For Marx, the maximum-security society is a way to conceptualize how the surveillance that was once figured as contained inside the military base or the maximum-security prison ("perimeter security, thick walls with guard towers, spotlights, and a high degree of electronic surveillance") now extends out to the whole society.[39] According to Marx, the maximum-security society is predictive, porous, monitored and self-monitored, and made up of computerized records and dossiers, where increasingly choices are engineered and limited by social location. In it, everyone is rendered suspicious at some time or another, while some individuals might be more often subject to what Marx terms "categorical suspicion" given their ascribed membership in certain groups. Notably, for Marx, the maximum-security society is also "a *transparent* society, in which the boundaries of time, distance, darkness, and physical barriers that traditionally protected information are weakened."[40] Marx's concept of "electronic leashes" and also what William Staples calls "participatory monitoring" are ways of understanding

how people, objects, and things come to be monitored in remote, routinized, and continuous ways—think of electronic ankle bracelets as a requirement of house arrest or car ignitions fitted with breathalyzers that measure a driver's breath alcohol content before the engine can be started.[41] People who are subject to such monitoring are also tasked with actively participating in their own confinement by partnering, in a way, with the overseeing body or agency in the check for violations and infractions.

Oscar Gandy's "panoptic sort" names the processes by which the collection of data on and about individuals and groups as "citizens, employees and consumers" is used to identify, classify, assess, sort, or otherwise "control their access to the goods and services that define life in the modern capitalist society," for example, with the application of credit scores by lenders to rate the creditworthiness of consumers or put to use for targeted marketing of predatory lending with high-interest loans.[42] The panoptic sort privileges some, while disadvantaging others. These concepts—categorical suspicion, social sorting, maximum-security society, electronic leashes, participatory monitoring, panoptic sorting—along with Kevin Haggerty and Richard Ericson's concept of the "surveillant assemblage," are some of the ways that the field has come to conceptualize surveillance. As a model for understanding surveillance, the surveillant assemblage sees the observed human body "broken down by being abstracted from its territorial setting" and then reassembled elsewhere (a credit reporting database, for example) to then serve as virtual "data doubles," and also as sites of comparison by way of, for example, credit scores or urinalysis drug testing, where one's biological sample is collected and tested for drug use, or when "lie detectors align and compare assorted flows of respiration, pulse and electricity."[43]

I want to add to these understandings of surveillance the concept of racializing surveillance. Racializing surveillance is a technology of social control where surveillance practices, policies, and performances concern the production of norms pertaining to race and exercise a "power to define what is in or out of place."[44] Being mindful here of David Theo Goldberg's caution that the term "racialization," if applied, should be done with a certain precision and not merely called upon to uncritically signal "race-inflected social situations," my use of the term "racializing surveillance" signals those moments when enactments of surveillance reify boundaries, borders, and bodies along racial lines, and where the outcome is often discriminatory treatment of those who are negatively racialized by such surveillance.[45] To say that racializing surveillance is a technology of social control is not to

take this form of surveillance as involving a fixed set of practices that maintain a racial order of things. Instead, it suggests that how things get ordered racially by way of surveillance depends on space and time and is subject to change, but most often upholds negating strategies that first accompanied European colonial expansion and transatlantic slavery that sought to structure social relations and institutions in ways that privilege whiteness. Racializing surveillance is not static or only applied to particular human groupings, but it does rely on certain techniques in order to reify boundaries along racial lines, and, in so doing, it reifies race. Race here is understood as operating in an interlocking manner with class, gender, sexuality, and other markers of identity and their various intersections.

John Fiske shows the operation of racializing surveillance in his discussion of video surveillance and the hypermediation of blackness where he argues that "although surveillance is penetrating deeply throughout our society, its penetration is differential."[46] Fiske argues that although Michel Foucault and George Orwell both conceptualized surveillance as integral to modernity, surveillance "has been racialized in a manner that they did not foresee: today's seeing eye is white."[47] Fiske gives the example that "street behaviors of white men (standing still and talking, using a cellular phone, passing an unseen object from one to another) may be coded as normal and thus granted no attention, whereas the same activity performed by Black men will be coded as lying on or beyond the boundary of the normal, and thus subject to disciplinary action."[48] Where public spaces are shaped for and by whiteness, some acts in public are abnormalized by way of racializing surveillance and then coded for disciplinary measures that are punitive in their effects. Racializing surveillance is also a part of the digital sphere with material consequences within and outside of it. For example, what Lyon calls "digital discrimination" signals this differential application of surveillance technologies, where "flows of personal data—abstracted information—are sifted and channeled in the process of risk assessment, to privilege some and disadvantage others, to accept some as legitimately present and to reject others."[49] In this way, data that is abstracted from, or produced about, individuals and groups is then profiled, circulated, and traded within and between databases. Such data is often marked by gender, nation, region, race, socioeconomic status, and other categories where the life chances of many, as Lyon notes, are "more circumscribed by the categories into which they fall. For some, those categories are particularly prejudicial. They already restrict them from consumer choices because of credit

ratings, or, more insidiously, relegate them to second-class status because of their color or ethnic background. Now, there is an added category to fear: the terrorist. It's an old story in high-tech guise."[50]

To conceptualize racializing surveillance requires that I also unpack the term "surveillance." Surveillance is understood here as meaning "oversight," with the French prefix *sur-* meaning "from above" and the root word *-veillance* deriving from the French verb *veiller* and taken to mean observing or watching. The root word *-veillance* is differently applied and invoked, for example, with the terms "überveillance" (often defined as electronic surveillance by way of radio-frequency identification or other devices embedded in the living body), "redditveillance" (the crowdsourcing of surveillance through publicly accessible CCTV feeds, photographs uploaded to online image sharing platforms such as Flickr, and online discussion forums, such as Reddit and 4chan), and "dataveillance," to name a few.[51] Lyon has outlined the "potency of dataveillance" in a surveillance society, which, he writes, is marked by "a range of personal data systems, connected by telecommunications networks, with a consistent identification scheme."[52] The prefix *data-* signals that such observing is done through data collection as a way of managing or governing a certain population, for example, through the use of bar-coded customer loyalty cards at point of sale for discounted purchases while also collecting aggregate data on loyalty cardholders, or vehicles equipped with transponders that signal their entry and exit on pay-per-use highways and roads, often replacing toll booths.

The *Guardian* newspaper named "surveillance" and "sousveillance" as the words that mattered in 2013 alongside "Bitcoin," "Obamacare," and "binge-watching."[53] For Steve Mann, who coined the term "sousveillance," both terms—sousveillance and surveillance—fall under the broad concept of veillance, a form of watching that is neutral. Mann situates surveillance as the "more studied, applied and well-known veillance" of the two, defining surveillance as "organizations observing people" where this observing and recording is done by an entity in a position of power relative to the person or persons being observed and recorded.[54] Such oversight could take the form of red-light cameras that photograph vehicles when drivers violate traffic laws, or the monitoring of sales clerks on shop floors with CCTV, as well as, for example, punch clocks that track factory workers' time on the floor to more ubiquitous forms of observation, productivity monitoring, and data collection, such as remote desktop viewing or electronic monitoring software that tracks employees' non-work-related Internet use. Mann

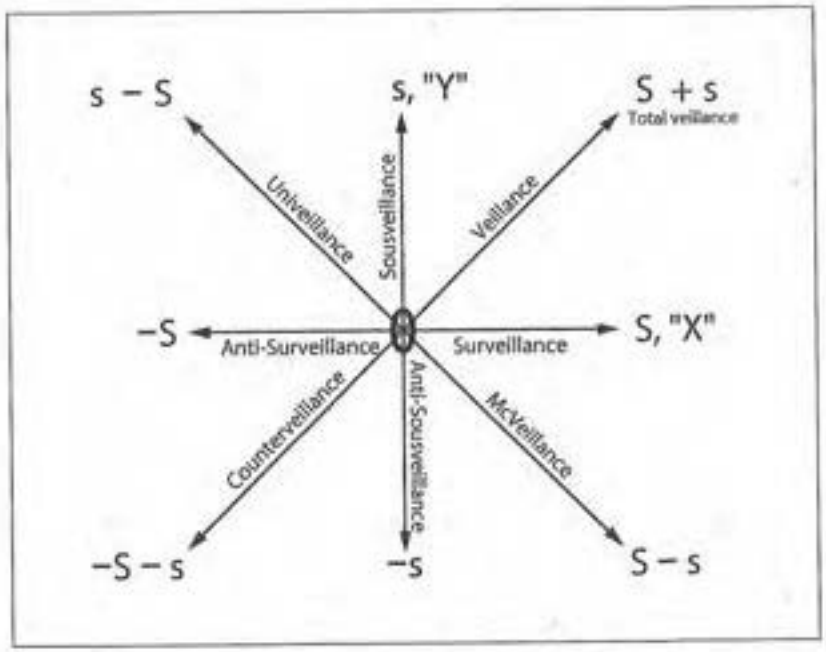


FIGURE 1.2. Steve Mann's Veillance Plane and the "8-point compass" model of its directionalities. From Steve Mann, "Veillance and Reciprocal Transparency." Reproduced with permission.

developed the term "sousveillance" as a way of naming an active inversion of the power relations that surveillance entails. Sousveillance, for Mann, is acts of "observing and recording by an entity not in a position of power or authority over the subject of the veillance," often done through the use of handheld or wearable cameras.[55] George Holliday's video recording of the beating of Rodney King by police officers of the Los Angeles Police Department on March 3, 1991, is an example of sousveillance, where Holliday's watching and recording of the police that night functioned as a form of citizen undersight.

Mann's Veillance Plane (figure 1.2) places surveillance on the x-axis (uppercase S) and sousveillance on the y-axis (lowercase s). An "8-point compass" model, the Veillance Plane sees sousveillance and surveillance as "orthogonal vectors" or perpendicular, where "the amount of sousveillance can be increased without necessarily decreasing the amount of surveillance."[56] Other directionalities on this plane include univeillance (e.g.,

when one party to a telephone conversation records said conversation, making this action more aligned with sousveillance, rather than an approach closer to surveillance where a "nonparticipant party" to a conversation does the recording) and McVeillance. McVeillance would include an establishment that sets up a policy that forbids patrons from using cameras and recording devices on its premises, while at the same time recording those very patrons through CCTV surveillance, for example. McVeillance is surveillance minus sousveillance (S – s). Mann describes the "sousveillance era" as occurring prior to the increase and normalization of surveillance cameras recording in public and private spaces. He argues that although "the king or emperor or sheriff had more power" in the sousveillance era, during this era "the observational component of that power was more approximately equal than it is today," where people are often prevented from recording entities in positions of power, for example, when signs are posted in government offices and business establishments warning visitors and patrons that the use of recording devices on the premises is prohibited.[57] On the sousveillance era, Mann further explains, "Before approximately 50 years ago—and going back millions of years—we have what we call the 'sousveillance era' because the only veillance was sousveillance which was given by the body-borne camera formed by the eye, and the body-borne recording device comprised of the mind and brain."[58]

I want to make a link here between Mann's naming of the human eye as a "body-borne camera" and what Judith Butler terms the "racially saturated field of visibility" and what Maurice O. Wallace has called the "picture-taking racial gaze" that fixes and frames the black subject within a "rigid and limited grid of representational possibilities."[59] In other words, these are ways of seeing and conceptualizing blackness through stereotypes, abnormalization, and other means that impose limitations, particularly so in spaces that are shaped for whiteness, as discussed above with reference to Fanon's epidermalization and to Fiske on how some acts and even the mere presence of blackness gets coded as criminal. We can read a rigid framing in how Rodney King's acts of self-defense during a traffic stop in Los Angeles as recorded by Holliday on March 3, 1991, were coded as aggressive and violent. When King raised his hand to protect himself from police baton blows, his actions were met with more police force. Within what Butler has called a "racially saturated field of visibility," such police violence is not read as violence; rather, the racially saturated field of visibility fixed and framed

Rodney King and read his actions, as recorded by Holliday, as that danger from which whiteness must be protected.[60]

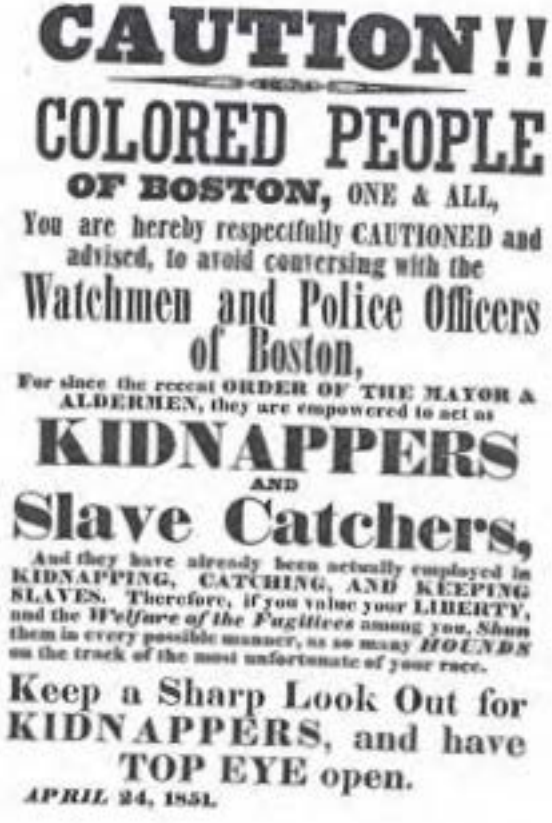
Although the observational component of the power of the sheriff might have been equal to that of the citizen in the sousveillance era, in the time of slavery that citizenry (the watchers) was deputized through white supremacy to apprehend any fugitive who escaped from bondage (the watched), making for a cumulative white gaze that functioned as a totalizing surveillance. Under these conditions of terror and the violent regulation of blackness by way of surveillance, the inequities between those who were watched over and those who did the watching are revealed. The violence of this cumulative gaze continues in the postslavery era.

Extending Steve Mann's concept of sousveillance, which he describes as a way of "enhancing the ability of people to access and collect data about their surveillance and to neutralize surveillance,"[61] I use the term "dark sousveillance" as a way to situate the tactics employed to render one's self out of sight, and strategies used in the flight to freedom from slavery as necessarily ones of undersight. Using this model, but imagining Mann's Veillance Plane as operating in three dimensions, I plot dark sousveillance as an imaginative place from which to mobilize a critique of racializing surveillance, a critique that takes form in antisurveillance, countersurveillance, and other freedom practices. Dark sousveillance, then, plots imaginaries that are oppositional and that are hopeful for another way of being. Dark sousveillance is a site of critique, as it speaks to black epistemologies of contending with antiblack surveillance, where the tools of social control in plantation surveillance or lantern laws in city spaces and beyond were appropriated, co-opted, repurposed, and challenged in order to facilitate survival and escape. This might sound like Negro spirituals that would sing of freedom and escape routes, or look like an 1851 handbill distributed by Theodore Parker, a white abolitionist from Massachusetts, that advised "colored people of Boston" to "keep a sharp lookout for kidnappers" who would act as slave catchers under fugitive slave laws that federalized antiblack surveillance (figure 1.3). In this way, acts that might fall under the rubric of dark sousveillance are not strictly enacted by those who fall under the category of blackness.

Dark sousveillance charts possibilities and coordinates modes of responding to, challenging, and confronting a surveillance that was almost all-encompassing. In the *Narrative of the Life of Frederick Douglass*, Fred-

erick Douglass carefully describes how surveillance functioned as a comprehensive and regulating practice on slave life: "at every gate through which we were to pass, we saw a watchman—at every ferry a guard—on every bridge a sentinel—and in every wood a patrol. We were hemmed in upon every side."[63] This sweeping ordering did not, of course, preclude escapes and other forms of resistance, such as antisurveillance "pranks" at the expense of slave patrollers by stretching vines across roads and bridges to trip the patrollers riding on their horses, or counterveillance songs, for example, the folk tune "Run, Nigger, Run," which warned of approaching slave patrols.[63] Recalling acts of antisurveillance and counterveillance, ex-slave Berry Smith of Forest, Mississippi, tells of "the pranks we used to play on them paterollers! Sometimes we tied ropes across the bridge and the paterollers'd hit it and go in the creek. Maybe we'd be fiddling and dancing on the bridge and they'd say, 'Here come the paterollers!' Then we'd put out."[64] Such playful tricks were a means of self-defense. These oral histories of ex-slaves, slave narratives, and runaway notices, in revealing a sociology of slavery, escape, and freedom, recall the brutalities of slavery (instruments of punishment, plantation regulation, slave patrols) and detail how black performative practices and creative acts (fiddling, songs, and dancing) also functioned as sousveillance acts and were employed by people as a way to escape and resist enslavement, and in so being were freedom acts.

As a way of knowing, dark sousveillance speaks not only to observing those in authority (the slave patroller or the plantation overseer, for instance) but also to the use of a keen and experiential insight of plantation surveillance in order to resist it. Forging slave passes and freedom papers or passing as free are examples of this. Others include fugitive slave Ellen Craft escaping to Philadelphia in 1848 with her husband, William, by posing as a white man and as William's owner; Henry "Box" Brown's escape from slavery in 1849 by mailing himself to freedom in a crate "3 feet long and 2 wide"; Harriet Jacobs's escape from slavery to a cramped garret above her grandmother's home that she named as both her prison and her emancipatory "loophole of retreat"; slave spirituals as coded messages to coordinate escape along the Underground Railroad; Harriet "Moses" Tubman and her role in the 1863 Combahee River Raid that saw over seven hundred people escape enslavement in South Carolina; Soujourner Truth's escape to freedom in 1826 when she "walked off, believing that to be alright."[65] Dark sousveillance is also a reading praxis for examining surveillance that allows for a questioning of how certain surveillance technologies installed


CAUTION!!

COLORED PEOPLE

OF BOSTON, ONE & ALL,

You are hereby respectfully CAUTIONED and advised, to avoid conversing with the

Watchmen and Police Officers of Boston,

For since the recent ORDER OF THE MAYOR & ALDERMEN, they are empowered to act as

KIDNAPPERS

AND

Slave Catchers,

And they have already been actually employed in KIDNAPPING, CATCHING, AND KEEPING SLAVES. Therefore, if you value your LIBERTY, and the *Welfare of the Fugitives* among you, *Shun* them in every possible manner, as so many *HOUNDS* on the track of the most unfortunate of your race.

Keep a Sharp Look Out for KIDNAPPERS, and have TOP EYE open.

APRIL 24, 1851.

FIGURE 1.3. "Caution! Colored People of Boston," handbill (1851). Library of Congress, Printed Ephemera Collection; Portfolio 60, Folder 22. 30.5 x 25 cm.

during slavery to monitor and track blackness as property (for example, branding, the one-drop rule, quantitative plantation records that listed enslaved people alongside livestock and crops, slave passes, slave patrols, and runaway notices) anticipate the contemporary surveillance of racialized subjects, and it also provides a way to frame how the contemporary surveillance of the racial body might be contended with.

The Chapters

If, for Foucault, "the disciplinary gaze of the Panopticon is the archetypical power of modernity," as Lyon has suggested in the introduction to *Surveillance Studies: An Overview*,[66] then it is my contention that the slave ship too must be understood as an operation of the power of modernity, and as part of the violent regulation of blackness. Chapter 1, "Notes on Surveillance Studies: Through the Door of No Return," considers the Panopticon (1786) and the plan of the slave ship *Brooks* (1789) for what these two schematic plans disclose about surveillance, race, and the production of knowledge. My intent in this chapter is not to reify the Panopticon as the definitive model of modern surveillance, but rather I want to complicate it through a reading of the slave ship. Both of these diagrams were published in and around the same time period, and they continue to provoke, in different ways, questions for both surveillance studies and for theorizing the black diaspora. Taking up David Murakami Wood's call for a "critical reinterpretation" of panopticism, what I am suggesting here is that one of the ways that this reinterpretation can be done is through a reading of the slave ship.[67] Panopticism, for Murakami Wood, is understood as "the social trajectory represented by the figure of the Panopticon."[68] Panopticism, then, is the Panopticon as a social practice. I interrogate the Panopticon and the plan of the slave ship *Brooks* to ask: What kinds of subjects were these two spaces meant to produce? How is social control exercised? What acts of subversion and resistance do these structures allow for? Also in this chapter, I explore the operation of disciplinary and sovereign forms of power over black life under slavery by looking at plantation management and running away.

In Jeremy Bentham's plan for the Panopticon, small lamps worked to "extend to the night the security of the day."[69] I examine this idea of the security of the day and surveillance by lamps at night in Chapter 2, "Everybody's Got a Little Light under the Sun: The Making of the *Book of Negroes*." In this chapter I discuss what I call "lantern laws," which were ordinances "For Regulating Negroes and Slaves in the Night Time" in New York City that compelled black, mixed-race, and indigenous slaves to carry small lamps, if in the streets after dark and unescorted by a white person. With this citywide mandate, "No Negro, Mulatto or Indian slave could" be in the streets unaccompanied "an hour after sunset" without "a lanthorn and lighted candle in it, so as the light thereof may be plainly seen" without penalty.[70] Here technologies of seeing that are racializing in their application and effects, from a candle flame to the white gaze, were employed in an attempt to identify who was in place with permission and who was out of place with censure. The title of this chapter is taken, or sampled, from the lyrics of funk band Parliament's song "Flash Light" (1977). I do this to hint at and imagine what it might mean in our present moment to be mandated to carry a handheld flashlight in the streets after dark, illuminating blackness. This chapter also looks to prior histories of surveillance, identification documents, and black mobilities through a reading of the archive of the *Book of Negroes*. Working with treaties, letters and other government documents, maps, memoirs, and fugitive slave advertisements as primary source data, I use this archive to examine the arbitration that took place at Fraunces Tavern in New York City between fugitive slaves who sought to be included in the *Book of Negroes* and those who claimed them as escaped property. The *Book of Negroes* is an eighteenth-century ledger that lists three thousand self-emancipating former slaves who embarked mainly on British ships, like *Danger* and *Generous Friends*, during the British evacuation of New York in 1783 after the American Revolution. The *Book of Negroes*, I argue, is the first government-issued document for state-regulated migration between the United States and Canada that explicitly linked corporeal markers to the right to travel. This linking of gender (often recorded in the ledger as "fine wench," "ordinary fellow," "snug little wench"), race ("healthy Negress," "worn out, half Indian," "fine girl, ¾ white"), labor ("brickmaker," "carpenter by trade," "formerly slave to"), disabilities ("lame of the left arm," "stone blind," "blind & lame"), and other identifying marks, adjectives, and characterizations ("3 scars in her face," "cut in his right eye, Guinea born," "remarkably stout and lusty," "an idiot") points to the ways that biometric information, understood simply as "bio" (of the body) and "metric" (pertaining to measurement), has long been deployed as a technology in the surveillance of black mobilities and of black stabili-

ties and containment. This chapter argues that biometric information technology—as a measure of the black body—has a long history in the technologies of slavery that sought to govern black people on the move, notably those technologies concerned with escape.

Chapter 3, "B®anding Blackness: Biometric Technology and the Surveillance of Blackness," asks broader questions about early applications of biometric surveillance and its role in African American racial formation in particular, and in the black diaspora in general. I begin with a discussion of an 1863 *carte de visite* featuring "Wilson Chinn, a Branded Slave from Louisiana" as a way to locate my analysis of branding within plantation surveillance and punishment practices. To more clearly draw the links between contemporary biometric information technology and transatlantic slavery, I trace its archive, namely the diary of Thomas Thistlewood (an English planter and slave owner) that tells of plantation conditions in eighteenth-century Jamaica and the life of an enslaved woman named Coobah, other written accounts, runaway notices, and cartes de visite. I begin with a discussion of branding during transatlantic slavery as a marking, making, and marketing of blackness as commodity. Branding was a measure of slavery, an act of making the body legible as property that was put to work in the production of the slave as object that could be bought, sold, and traded. I argue here that the history of branding in transatlantic slavery anticipates the "social sorting" outcomes that Lyon's work alerts us to regarding some contemporary surveillance practices, including passports, identification documents, or credit bureau databases.[71] Through Frantz Fanon's concept of epidermalization—that being the imposition of race on the body—I trace and provide a genealogy of modern, digital epidermalization by focusing on branding and the role of prototypical whiteness in the development of contemporary biometric information technology. I consider the way that what Paul Gilroy terms "epidermal thinking" operates in the discourses surrounding research and development (R&D) of contemporary biometric information technologies and their applications: the fingerprint data template technology and retina scans where the human body, or parts and pieces of it, are digitized for automation, identification, and verification purposes or, in keeping with what Haggerty and Ericson argue as the markings of the surveillant assemblages, "reduce flesh to pure information."[72] Epidermal thinking marks the epistemologies concerning sight at the site of the racial body.[73] I look at some R&D reports concerning race and gender within the biometrics industry, including one particular report that

uses images of actor Will Smith as the prototypical black male and actor Tom Cruise as the prototypical white male. This chapter also examines the branding of blackness in contemporary capitalism by looking at National Football League quarterback Michael Vick's postincarceration rebranding, artist Hank Willis Thomas's *B®anded* series, and blockbuster films starring actor Will Smith that feature biometric information technology. I argue in this chapter that the filmic representation of biometrics is one of the ways that the viewing public gains a popular biometric consciousness and comes to understand these surveillance technologies. I also explore the contemporary circulation of branding artifacts for sale online and take up visual artists Mendi + Keith Obadike's *Blackness for Sale*, where Keith Obadike put his blackness up for sale on eBay.com as a way to question the current trade in slave memorabilia and branding blackness.

Chapter 4, "'What Did TSA Find in Solange's Fro'?: Security Theater at the Airport," asks, broadly, what the experiences of black women in airports can tell us about the airport as a social formation. This chapter also examines art and artworks at and about the airport and popular culture representations of post-9/11 security practices at the airport to form a general theory of security theater. This is far from saying that security measures and security theater at the airport are a strictly post-9/11 formation. Between 1970 and 2000 there were 184 hijackings of U.S. commercial airline flights, while for foreign carriers during that period hijackings totaled 586.[74] Garrett Brock Trapnell hijacked one of those planes, Trans World Airlines Flight 2 from Los Angeles to New York on January 28, 1972, and during this hijacking he reportedly said: "I'm going to tell you exactly what I want. I want $306,800 in cash waiting at Kennedy. I want the San Jose jail notified I want Angela Davis released."[75] Trapnell later claimed that his demand that Angela Davis be released was actually a ploy to garner the attention and support of the black nationalist movement. Trapnell's was one of twenty-six hijackings of U.S. air carriers in 1972, a peak in domestic aerial piracy that led to the introduction of new security measures by way of a Federal Aviation Administration Emergency Order on December 5, 1972.[76] This Emergency Order included preflight screenings of passengers and their carry-on baggage by way of magnetometers, or walk-through metal detectors, and the use of handheld metal detectors at many U.S. airports. This was not the first federal intervention into antihijacking efforts. On September 11, 1970, President Richard Nixon announced countermeasures to combat what he called "the menace of air piracy," including dispatching plainclothes armed

personnel, or sky marshals, onboard U.S. commercial flights and the expansion of the use of magnetometers at airports.[77] The rash of airplane hijackings in the early 1970s eventually led to the Anti-hijacking or Air Transportation Security Act of 1974, signed into law by Nixon on August 5, 1974, four days before his resignation from the office of the president. On February 22 of that same year, Samuel J. Byck attempted to hijack Delta Airlines Flight 523 out of Baltimore-Washington International Airport with the expressed intent to assassinate President Nixon by weaponizing the plane and crashing it into the White House. Byck killed two people during his failed attempt, including the plane's copilot. Byck died of a self-inflicted gunshot wound during a standoff with police. Delta Flight 523 never left the runway that day.

I recount this short history of hijackings and various countermeasures as a way to situate contemporary security measures in U.S. air travel as having a much earlier history than those measures taken and performances undergone after the tragic attacks by weaponized aircraft in New York City and Washington, DC, on September 11, 2001. This history offers a counterframing to then National Security Advisor Condoleezza Rice's comment during a press briefing in 2002 when, in reference to the 9/11 hijackings, she stated, "I don't think anybody could have predicted . . . that they would try to use an airplane as a missile, a hijacked airplane as a missile."[78] At post-9/11 U.S. airports, passenger screening by the U.S. Transportation Security Administration (TSA) fulfills the usual scripts of confession ("What is the purpose of your travel?" or "What do you do for a living?" and "Are you bringing any goods in with you?"). With increasing procedural delays due to antiliquid policies, pat downs, chat downs, opt outs, the application of trace detection technologies to check for residue of explosive making materials, and with Secondary Security Screening Selection for some, many travelers undergo a certain amount of ontological insecurity at the border, particularly at airports. While the airport is an institutional site where almost everybody is treated with suspicion at one time or another—by TSA agents, by airline workers, and by other travelers—some travelers may be marked as more suspicious than others. In Chapter 4, I introduce the concept of racial baggage in order to name the ways that race and racism weigh some people down at the airport. I also examine the discretionary power wielded by TSA agents and by airline workers by looking at cases of, mainly, black women who were subjected to invasive pat downs, hair searches, and other security theater measures. I do this as a way to question how black women are deployed in narratives about airport security, for example, through representations in popular culture as uninterested, sassy, and ineffective TSA agents. This chapter suggests that we pay attention to the ways that black women's bodies come to represent, and also resist, security theater at the airport.

The epilogue brings together this book's key concerns around the question of what happens when blackness enters the frame, whether that be cameras that "can't see black people" or centering blackness when it comes to questioning the logics of surveillance.

1

NOTES ON SURVEILLANCE STUDIES

THROUGH THE DOOR OF NO RETURN

The door is a place, real, imaginary and imagined. As islands and dark continents are. It is a place which exists or existed. The door out of which Africans were captured, loaded onto ships heading for the New World. It was the door of a million exits multiplied. It is a door many of us wish never existed.

—DIONNE BRAND, *A Map to the Door of No Return: Notes to Belonging*

In early August 1785, English social reformer Jeremy Bentham set out from Brighton, England, destined for Krichēv, Russia. It was in Russia where Bentham would first conceive of the Panopticon in a series of letters "from Crecheff in White Russia, to a friend in England." At one point during his journey, in an attempt to reach Constantinople, he embarked from Smyrna on a cramped Turkish caïque with "24 passengers on the deck, all Turks; besides 18 young Negresses (slaves) under the hatches."[1] Much of Bentham's writings that addressed slavery were written before this voyage. In those texts he touches on such topics as sugar production, punishment, and abolition. Writing during the 1770s on "afflictive capital punishment," that being when the degree of pain imposed upon the body surpasses that necessary to produce death, Bentham details the severe methods of torture and punishment reserved for "negro slaves" of the European colonies in the West Indies for the crime of rebellion, a crime so named, he writes,

"because they are the weakest, but which, if they were the strongest would be called an act of self-defense."[2] While acknowledging Europe's desire for "sugar and coffee" and other crops produced through enslaved labor in the colonies, he suggests that when these goods are obtained by keeping people enslaved "in a state in which they cannot be kept but by the terror of such execution: are there any considerations of luxury or enjoyment that can counterbalance such evils?"[3] On the terror of the codes that governed slave life in the West Indies, Bentham has this to say: "let the colonist reflect upon this: if such a code be necessary the colonies are a disgrace and an outrage on humanity; if not necessary, these laws are a disgrace to the colonists themselves."[4] Bentham arrived in Krichëv in February 1786. One can only wonder if he thought of the terror of "capital punishment" and of the slave's "self-defense" when he came across those eighteen "young Negresses" held captive in the hatches of that cramped Turkish caïque.

That somewhere along a journey that ends in *The Panopticon; or, The Inspection House* Jeremy Bentham traveled with "18 young Negresses (slaves)" guides me to question the ways that the captive black female body asks us to conceptualize the links between race, gender, slavery, and surveillance. In other words, how must we grapple with the Panopticon, with the knowledge that somewhere within the history of its formation are eighteen "young Negresses" held "under the hatches"? If Bentham's Panopticon depended on an exercise of power where the inspector sees everything while remaining unseen, how might the view from "under the hatches" be another site from which to conceptualize the operation of power? This chapter asks that we rethink the Panopticon (1786) through the plan of the slave ship *Brooks* (1789), as a way to link surveillance studies to black feminist scholarship.

The first section of this chapter offers an overview of the Panopticon, disciplinary power, and sovereign power. In the second section I discuss some of the ways that the Panopticon and panopticism have been put to use in theorizing surveillance, and in particular three analytical concepts derived from this model of social control: synopticon, banopticon, and postpanopticism. In the third section I discuss the plan of the slave ship. Following this, I examine surveillance technologies of slavery, such as advertisements for runaway slaves and the census, as well as a set of rules from the 1800s for the management of slaves on an East Texas plantation. I do this in order to understand how racializing surveillance functioned through these technologies. I end this chapter by looking to black feminist theorizing of surveillance, including bell hooks on "talking back" (1989) and "black looks" (1992) and Patricia Hill Collins's concept of "controlling images" (2000) as a way to situate surveillance as both a discursive and a material practice. I also look to artist Robin Rhode's *Pan's Opticon* (2008) and artist Adrian Piper's video installation *What It's Like, What It Is #3* (1991), as these creative texts offer ways to understand black looks and talking back as oppositional practices that challenge the stereotyped representations of controlling images and their material effects. My use of Rhode's *Pan's Opticon* and Piper's *What It's Like, What It Is #3* is a way of drawing on black creative practices in order to articulate a critique of the surveillance of blackness. In this fashion, these works open up a way to think creatively about what happens if we center the conditions of blackness when we theorize surveillance.

Seeing without Being Seen: The Plan of the Panopticon

The Panopticon was conceived by Jeremy Bentham in 1786 and then amended and produced diagrammatically in 1791 with the assistance of English architect Willey Reveley. Bentham first came upon the idea through his brother Samuel, an engineer and naval architect who had envisioned the Panopticon as a model for workforce supervision. Pan, in Greek mythology, is the god of shepherds and flocks, the name derived from *paien*, meaning "pasture" and hinting at the root word of "pastoral," and in this way the prefix *pan-* gestures to pastoral power. Pastoral power is a power that is individualizing, beneficent, and "essentially exercised over a multiplicity in movement."[5] Bentham imagined the Panopticon to be, as the name suggests, all-seeing and also polyvalent, meaning it could be put to use in any establishment where persons were to be kept under watch: prisons, schools, poorhouses, factories, hospitals, lazarettos, or quarantine stations. Or, as he wrote, "No matter how different, or even opposite the purpose: whether it be that of *punishing the incorrigible, guarding the insane, reforming the vicious, confining the suspected, employing the idle, maintaining the helpless, curing the sick, instructing the willing* in any branch of industry, or *training the rising race* in the path of *education*."[6] Of course, "the willing," "the idle," and the so-called rising race might be more able to leave this enclosure at will or by choice than "the suspected" or "the incorrigible." With this "seeing machine," the unverified few could watch the many and "the more constantly the persons to be inspected are under the eyes of the persons who should

inspect them, the more perfectly will the purpose of the establishment have been attained."[7] This is control by design, where population management and the transmission of knowledge about the subject could, as Bentham explains, be achieved, "all by a simple idea of Architecture!"[8]

The Panopticon's floor plan is this: a circular building where the prisoners would occupy cells situated along its circumference (figure 1.1). With the inspector's lodge, or tower, at the center, his field of view is unobstructed: at the back of each cell, a window, and in its front a type of iron grating thin enough that it would enable the inspector to observe the goings-on in the prisoner cells. The cells in the Panopticon make use of "protracted partitions"—where the partitions extend beyond the iron grating that covers the front of the cell—so that communication between inmates is minimized, and making for "lateral invisibility."[9] In this enclosed institution the watched are separated from the watchers; the inspector's presence is unverifiable; and there is said to be no privacy for those that are subject to this architecture of control. Security in the Panopticon, as Bentham asserts, is achieved by way of small lamps, lit after dark and located outside each window of the inspection tower, that worked to "extend to the night the security of the day" through the use of reflectors.[10] By employing mirrors in this fashion, a blinding light was used as a means of preventing the prisoner from knowing whether or not the inspection tower was occupied. Power, in the Panopticon, is exercised by a "play of light," as Michel Foucault put it, and by "glance from center to periphery."[11] The inspection tower is

> divided into quarters, by partitions formed by two diameters to the circle, crossing each other at right angles. For these partitions the thinnest materials might serve; and they might be made removeable at pleasure; the height, sufficient to prevent the prisoners seeing over them from cells. Doors to these partitions, if left open at any time, might produce the thorough light, to prevent this, divide each partition into two, at any part required, setting down the one-half at such distance from the other as shall be equal to the aperture of a door.[12]

With Bentham's plan for prison architecture, we can see how light, shadows, mirrors, and walls are all employed in ways that are meant to engender in many a prisoner a certain self-discipline under the threat of external observation, as was its intended function. The Panopticon would allow for a disciplinary exercise of power. Such exercises of power are not ones of pomp and pageantry, like a queen's coronation, a state funeral, or a royal

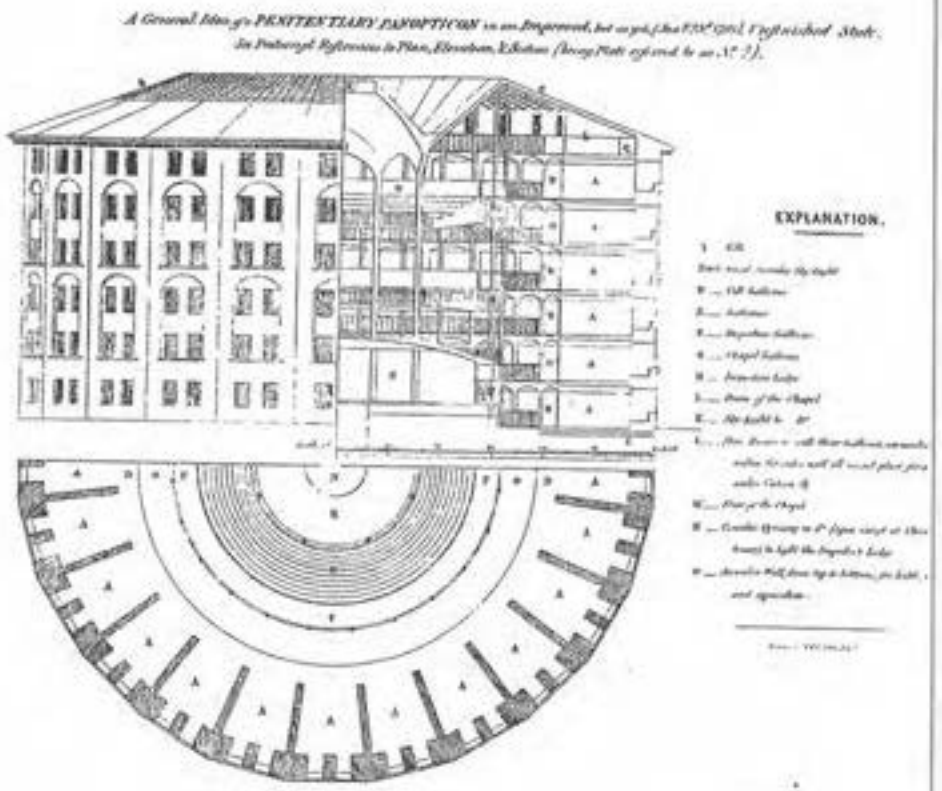


FIGURE 1.1. The plan of the Panopticon (1791). Published in 1843 (originally 1791) in *The Works of Jeremy Bentham*, vol. IV, pp. 172–173.

wedding, or of the overt kind of spectacular violence that often accompanies sovereign power. Instead, in this instance, power is covert and achieved by a play of light.

If an act that is deemed criminal is an assault on the sovereign's power, an exercise of sovereign power is that which seeks to make the sovereign's surplus power plainly understood by all. It is spectacular and episodic, and functions "to make everyone aware," often through ceremonial terror, "of the unrestrained presence of the sovereign."[13] This is a power exercised through excessive means and force, like the public execution of Damiens the regicide, the gruesome scene that opens Foucault's *Discipline and Punish: The Birth of the Prison* (1975). In 1757, Robert-Françoise Damiens was made to make the *amende honorable*, a symbolic apology for his crime

against the sovereign. He was carted through the streets of Paris, France, holding a burning torch in one hand and his weapon of choice, a knife, in the other. Boiling resin, sulfur, wax, and oil were combined and poured into his open wounds, and he was drawn by horses, quartered, and eventually hacked apart for his attempt on the life of Louis XV, king of France. With onlookers surrounding, Damiens's body was burned and his ashes were "thrown to the winds."[14]

Another, but less well-known, public execution took place twenty-three years before that of Damiens the regicide in Paris. This time it was in the French colony of Nouvelle-France, and it was a black woman who was subjected to this gruesome exercise of sovereign power. Marie-Joseph Angélique, a Portuguese-born enslaved black woman, was tried and convicted of setting a fire that left much of the town of Montréal in ruins in 1734, the arson itself ruled to be an affront to that same sovereign that Damiens the regicide attempted to assassinate, King Louis XV.[15] Angélique arrived in Montréal from New England after being sold to François Poulin de Francheville in 1725. After Francheville's death in 1733, his wife, Thérèse de Couagne, became Angélique's sole mistress, but through escape, insolence, unruliness, and talking back, Angélique was never quite fully under Madame Francheville's complete control. Madame Francheville would later make arrangements to sell Angélique for six hundred pounds of gunpowder. That sale was never fulfilled as, on the evening of April 10, 1734, a fire broke out on the roof of the Francheville home and Angélique was named the arsonist and arrested the morning after. Claude Thibault, a white indentured servant from France who was under contract to Madame Francheville, was named as Angélique's accomplice. Thibault was Angélique's lover. Angélique and Thibault had escaped from Montréal that previous winter, but were captured and returned. Days after the fire, Thibault disappeared and was never arrested. Angélique's trial lasted two months. Under interrogation she reportedly stated, "No one told me to set the fire. No one helped me, because I did not do it."[16] Later, under repeated torture, she recanted that assertion of her innocence—"*C'est moi.* It's me and no one else. I want to die. *C'est moi.*"[17] Condemned to death, she was carted through the streets of Montréal, made to make the amende honorable with a burning torch held in her hand at the door of the town's parish, and hanged. Angélique's body hung in the street for all to observe for hours after her execution, was later burned and her ashes thrown to the winds, as was the ceremony prescribed for the capital punishment of an arsonist according to French law.[18]

The ceremony of Angélique's execution, according to Katherine McKittrick, achieved at least two things: "spectacular punishment of someone and something that is said not to exist," that something being blackness in and of Canada as absented presence; and "the destroying of bodily evidence."[19] The trial and hanging of Angélique points to the criminalization of black women's resistance to captivity. The will of the sovereign was violently inscribed in Angélique's excruciating and spectacular death (both a public spectacle and spectacularly elaborate in its excessive violence) and made known for all who observed it—both free and enslaved—the expendability of slave life.

Foucault chose to begin "The Body of the Condemned," the first chapter of *Discipline and Punish*, with the brutal public execution of Robert-Françoise Damiens in order to set up, in stark contrast, his discussion of the discrete and also distributed way that exercises of disciplinary power operate in the form of rules "for the House of young prisoners in Paris," where regulation of the subject happened through observation and also through routines, repetition, self-discipline, and by following instructions and timetables. For example, the delinquent's day would be structured like this: "Art. 18 *Rising*. At the first drum roll, the prisoners must rise and dress in silence, as the supervisor opens the cell doors"; "Art. 20. *Work*. . . . They form into work teams and go off to work, which must begin at six in the summer and seven in the winter"; and "Art. 22. *School*. At twenty minutes to eleven, at the drum-roll, the prisoners form into ranks, and proceed in divisions to the school. The class lasts two hours and consists alternately of reading, writing, drawing and arithmetic."[20] The rules for the management of delinquents came eighty years after the execution of Damiens. Foucault cites both the execution and the rules to say that "they each define a certain penal style" and mark the decline of punishment as a public spectacle.[21] Disciplinary power did not do away with or supplant the majestic and often gruesome instantiations of sovereign power, however. Instead, at times, both formulations of power—sovereign and disciplinary—worked together. In reading punishment as public spectacle in the Old France and the New, I chose to recount the hanging of Marie-Joseph Angélique here because her torture and killing evidences blackness and slavery in Canada pre-*Book of Negroes* (1783), pre-Underground Railroad escape of black people from the United States to Canada (early nineteenth century), and pre-Confederation (1867). Putting the life of Marie-Joseph Angélique in conversation with the death of the regicide Robert-Françoise Damiens is

my way of interrupting Foucault's reading of discipline and the birth of the prison, as doing so points to an alternative archive from which to understand the hold of both disciplinary and sovereign power on black life under slavery. While Foucault argued that the decline of the spectacle of public torture as punishment might have marked "a slackening of the hold on the body," this chapter contends that when that body is black, the grip hardly loosened during slavery and continued post-Emancipation with, for example, the mob violence of lynching and other acts of racial terrorism.[22]

~~Panopticon, Panoptical, Panopticism~~: A Critical Reinterpretation

Various surveillance studies theorists have employed the Panopticon as an analytical tool in order to question how social control operates on certain bodies and in certain spaces, as well as a way to conceptualize disciplinary power and the ways that it comes to be internalized by some. Some theorists of surveillance have used the metaphor of the Panopticon to generate other ways of conceptualizing surveillance. For example, Thomas Mathiesen's synopticon (1997) is a reversal of the panoptic schema where the many watch the few in a mass-mediated fashion (think here of the reality television show *Big Brother*, where a television audience, as well as an Internet-based one, observe "houseguests" as they compete for prizes by way of twenty-four-hour continuous camera feeds), or Didier Bigo's banopticon, where those whom the state abandons are often banned based on a racialization of risk. Bigo takes the view that the practice of profiling and categorizing some into risk categories and then "projecting them by generalization upon the potential behaviour of each individual pertaining to the risk category" is the disposition of U.S.-led security measures and practices, and increasingly so post-9/11.[23] With the banopticon, certain groups and individuals are labeled as potentially dangerous. This labeling as dangerous is then massively applied to certain nations and their citizens and to those outside the bounds of citizenship, where anxieties and the anticipation of risk stemming from those deemed "dangerous minorities" then shape security measures at borders, on city streets, and other spaces that come to be associated with risk, or with being at risk of becoming risky. According to Bigo, the banopticon is "characterized by the exceptionalism of power (rules of emergency and their tendency to become permanent), by the

way it excludes certain groups in the name of their future potential behaviour (profiling) and by the way it normalizes the non-excluded through its production of normative imperatives, the most important of which is free movement."[24] The banopticon might look like trusted traveler programs that speed up border crossings for preapproved travelers who provide some form of biometric-based verification, or free trade zones where goods can be manufactured, transported, imported, and exported without duties or other barriers to trade. The banopticon could also take the form of stop-and-frisk policing practices where categories of suspicion could include "furtive movements," or "fits a relative description," or "change direction at the sight of an officer," or "inappropriate attire for season."[25]

Some scholars have pointed to what they see as an apparent overreliance on the Panopticon in the field of surveillance studies that leaves the role of visibility overstated. Others have suggested that the Panopticon is no longer useful, or that at least as a way of theorizing disciplinary power in the contemporary moment it cannot offer a complete account of, for example, surveillance and exercises of power within social media and cell phone usage, or by way of digital information databases and data aggregators. On this point, Roy Boyne offers a critique of panopticism in which he contends that "post-Panoptical subjects reliably watch over themselves" without need of the physical structure of the Panopticon.[26] He suggests that panopticism has been "transcended by the emergent practice of previsualization" where simulation, profiling, and prevention occur, rather than merely observation.[27] Also, Boyne names the "reversal of the Panoptical polarity," where the many watch the few, as operating in conjunction with the Panopticon, where the few watch the activities of the many, in this way echoing Thomas Mathiesen on the synopticon.[28] John Gilliom and Torin Monahan, in their analysis of social media sites such as Facebook, argue that "rather than being a prisonlike panopticon where trapped people follow the rules because they're afraid someone is watching, with Facebook and similar sites people are probably more afraid that no one is watching, that no one cares what they're up to."[29] With this apparent fear of not being noticed, Gilliom and Monahan say that social media users "discipline themselves in a different way by divulging as much as possible about their lives and thoughts."[30] Other theories, like the "social sorting" of people and populations into categories of risk, are offered as a means of qualifying and understanding forms of surveillance that are sometimes overlooked. On the overrepresentation of the panopticon and accounts that take power as

unilaterally exercised, Lyon writes that "not only does this kind of account distract attention from the subtle interplay between surveillance power and the attitudes and activities of those subject to surveillance, it also places all the emphasis on forms of rational control."[31] Likewise, Kevin Haggerty names the Panopticon as "oppressive," not only because of an overreliance placed upon it as an explanatory metaphor in works that analyze surveillance, but also for the way "the panoptic model has become reified, directing scholarly attention to a select subset of attributes of surveillance," which has resulted in the panoptic schema being applied in areas where it is, as he argues, "ill-suited, and important attributes of surveillance that cannot be neatly subsumed under the 'panoptic' rubric have been neglected."[32] One area of contention that Haggerty points to is the claim that in the panoptic schema, who, or what, does the watching is irrespective, or, as Foucault wrote, "Stones can make people docile and knowable."[33] For Haggerty, it is a mistake not to take into account the "attitudes, predispositions, biases, prejudices and personal idiosyncrasies" of those who do the surveillance for how these factors inform the "form, intensity and regularity" of their responses.[34]

The very failure of panopticism to produce docile subjects is an important point of criticism, where, as Boyne puts it, "that failure is announced in many places: prison riots, asylum sub-cultures, ego survival in Gulag or concentration camp."[35] In her observation and interviews at intensive management units housed within prisons run by the Washington State Department of Corrections, Lorna Rhodes names aggressive behavior (throwing feces, urine, and other bodily fluids), passive behavior (such as refusals to eat), and self-harm as instances in which the body is used as a means of resistance, and she argues that these acts are expressions of inmates' struggles with the panopticon.[36] Intensive management units, or special housing units, are solitary confinement units where certain inmates are segregated from the general prison population, spending up to twenty-three hours a day in their individual cells. Prolonged isolation in solitary confinement for many leads to depression, hallucinations, and acts of self-mutilation.

While the prisoner's body is "the very ground of the panoptical relation," under such conditions, as Rhodes contends, "it is also its potential undoing; he has within himself the makings of a perverse opacity."[37] Rhodes cites Lyon here in her naming of this "perverse opacity," a term that, as Lyon explains, points to the idea that such "resistance may not be liberatory—

indeed, it invites further control—but it calls in question both the panopticon and our representations of it."[38] Like Rhodes and Lyon, Boyne also calls the Panopticon into question, but he advises us not to do away with it completely as a way to understand our contemporary condition. Instead, he suggests that we "draw a line through the terms Panopticon, Panoptical, Panopticism. To place these terms under erasure, drawing a black line through them, allowing the idea to be seen at the same time as denying its validity as description, could be the most honest resolution."[39]

Unarguably the most cited work in surveillance studies on the Panopticon as a metaphor for disciplinary exercises of power is Foucault's *Discipline and Punish: The Birth of the Prison*, first published in 1974 as *Surveiller et punir: Naissance de la Prison*, with the book's French title alluding more closely to its focus on surveillance. In *Discipline and Punish*, Foucault argues that "discipline makes individuals" and achieves its success by employing "simple instruments": hierarchical observation (the greater over lesser authority, whether through physical structures or choreographed gazes), normalizing judgment (quantitative measurements, comparisons, establishment and adherence to set rules and norms, exclusions), and the examination.[40] Broadly, Foucault explains that hierarchical observation and normalizing judgment combine in the examination. Hierarchical observation works "as a piece of machinery" designed for "the uninterrupted play of calculated gazes."[41] With this play of gazes in the disciplinary institution, such as the penitentiary or the school campus, surveillance "functioned like a microscope of conduct" and sought to objectify, transform, and improve individuals through architectural arrangements, registration, examination, and documentation.[42] Foucault describes normalizing judgment as that which normalizes by singling out and correcting "that which does not measure up to the rule, that departs from it" with a glance, a gaze that classifies, ranks, and measures.[43] So although disciplinary power is individualizing, by way of normalizing judgment, individual actions are referred "to a whole that is at once a field of comparison, a space of differentiation and the principle of a rule to be followed."[44] The examination places the individual in a "network of writing" as it is "accompanied at the same time by a system of intense registration and of documentary accumulation."[45] The examination in the disciplinary institution seeks to objectify and transform individuals through architectural arrangements, registration, and documentation.

Prefiguring Bentham's design of the Panopticon and the seventeenth- and eighteenth-century disciplinary institutions that Foucault lays out in *Discipline and Punish*, the architectural design, registration, documentation, and examination at slave trafficking forts and ports, through the Door of No Return, and on slave ships during the Middle Passage voyage from Africa to the auction blocks and plantations of the New World were subject defining, but always violent. The violent regulation of blackness as spectacle and as disciplinary combined in the racializing surveillance of the slave system. On this point, Robyn Wiegman states that "the disciplinary power of race, in short, must be read as implicated in both specular and panoptic regimes."[46] Here, black children, women, and men were subject to these "simple" but violent instruments—branding irons fashioned out of silver wire, ships' registers in which African lives were recorded as units of cargo, or listed alongside livestock on slave auction notices, and census categories, estate records, and plantation inventories that catalogued enslaved people as merchandise. The branding of enslaved people as a means of accounting for a particular ship's cargo, for example, was not only individualizing but also a "massifying" practice that constituted a new category of subject, blackness as saleable commodity in the Western Hemisphere. Plantation rules laid out for overseers the prescribed measures for regulating plantation life and "social death."[47] In using Foucault's schemas of sovereign power, discipline, and normalization, as well as the concept of panopticism, I am mindful of their limitations for theorizing the role of trauma, vulnerability, and violence in the making and marking of blackness as property. However, for the concept of racializing surveillance, Foucault's contributions to understanding sovereign power and its "policy of terror" and to conceptualizing discipline and the imposition of norms, for example, offer us a way to understand how acts of making the black body legible as property were put to work in the production of the slave as vendable object to be bought, sold, and traded.[48]

Complicating Foucault's panopticism through the archive of slavery and black feminist scholarship on surveillance is a way of offering a critical reinterpretation of the concept—by "drawing a black line" through it. To do this I now turn to the plan of the slave ship. Drawing a line through panopticism by way of the slave ship is another means of interrupting Foucault's reading of discipline, punishment, and the birth of the prison, because, as Marcus Rediker put it, the slave ship was "a mobile, seagoing prison at a time when the modern prison had not yet been established on land."[49]

"2 feet 7 inches": The Plan of the Slave Ship

> The prison didn't come to exist where it does just by happenstance. Those who inhabit it and feed off its existence are historical products.
>
> —GEORGE L. JACKSON, *Soledad Brother*

Through its creative remembering of the brutalities of slavery and its afterlife, Caryl Phillips's short story "The Cargo Rap" (1989) makes links between the Panopticon, captivity, the slave ship, plantation slavery, racism, and the contemporary carceral practices of the U.S. prison system. Racism is, as Ruth Wilson Gilmore explains, "the state-sanctioned or extralegal production and exploitation of group-differentiated vulnerability to premature death."[50] Rudi (or sometimes "Rudy") Leroy Williams, the protagonist of "The Cargo Rap," was sentenced to prison at nineteen years of age for the attempted theft of forty dollars. Rudi narrates this slow, state-sanctioned death that is the "negative inheritance" of the slave's progeny that Stephen Best and Saidiya Hartman alert us to: "the ongoing production of lives lived in intimate relation to premature death (whether civil, social or literal)."[51]

Phillips writes "The Cargo Rap" in epistolary form—as a series of letters penned by Rudi, namely to family members and to his defense committee, over the course of eighteen months. In this way, "The Cargo Rap" follows George L. Jackson's *Blood in My Eye* letters, written right before his death on August 21, 1971, in San Quentin State Prison in California. Like Rudi, Jackson was convicted and incarcerated for armed robbery, accused of stealing seventy dollars from a gas station while still a teenager in 1961. On Jackson's sentence, Foucault had this to say: "ten years in prison for 70 dollars is a political experience—an experience of hostage, of a concentration camp, of class warfare, an experience of the colonized."[52] In one of his letters written in Soledad Prison on June 10, 1970, Jackson states that for the black man "being born a slave in a captive society and never experiencing any objective basis for expectation had the effect of preparing me for the progressively traumatic misfortunes that led so many black men to the prison gate. I was prepared for prison. It required only minor psychic adjustments."[53] Both Foucault and Jackson speak of incarceration as a condition of colonization and of captivity.

In "The Cargo Rap" letters, we witness Rudi make sense of the traumatic misfortunes of the world outside of his solitary confinement, where such prolonged isolation makes his life one of constant exposure to fluorescent

light and permanent illumination, living in "neither daytime nor nighttime. It is no time," as he put it.[54] To understand this constant and tortuous play of light on the body, Rudi asks his reader to "take a desk lamp and shine it into your face. Try to relax, think, act, concentrate, do everything in this position for twenty-four hours."[55] In an attempt to cope with the deliberate disorientation of "no time," Rudi cultivates an ability to tell time by way of certain noises and silences, as some silences are "closer to dawn than others."[56] Rudi tells of isolation, routinization, inspections, premature death, and the harmful toll of prison life: deteriorating eyesight, *The Wretched of the Earth*, a ten-by-four-foot cell, a body atrophied, and the suffering of brutalities at the hands of the prison guards. This is a type of corporeal violence that was reported to Loïc Wacquant in his study of the Los Angeles County Jail system as "getting the flashlight treatment," where after violent beatings at the hands of prison guards one would be able to "read the brand of their flashlight" on the prisoner's body.[57] During Rudi's brief sojourn in the general prison population, he writes: "I can have darkness. My eyes can rest easy at night."[58] He writes of his desperation to escape the "high-security barracoon" that holds him and of the travels and works of the black activists, writers, athletes, and artists that sustain him while living a slow-motion death in prison: Muhammad Ali, W. E. B. DuBois, Frantz Fanon, Marcus Garvey, Toussaint L'Ouverture, Paul Robeson, Harriet Tubman, Phillis Wheatley.

Readers of Phillips's "The Cargo Rap" are not privy to the responses, if any, to Rudi's letters by his family members or his other correspondents. Instead, we are left only with Rudi's thoughts. His letters are, he writes, "a little cargo rap about the children of Africa who arrived in this country by crossing the water."[59] Rudi's first letter is to his mother, Alice, a domestic worker. In it he writes on Darwinism and self-preservation and he relates how unthinkable it is for her to even imagine trading places with the wealthy white women who employ her to work in their homes. With each of his letters, the plantation metaphor becomes even more direct as Rudi's physical and mental conditions deteriorate further. Incarceration is a slow-motion death. Rudi's last letter is dated August 1968, in a year that saw the assassinations of both Martin Luther King Jr. and Robert F. Kennedy, the passing of the Fair Housing Act meant to end discrimination in housing in the United States, riots in over one hundred U.S. cities, student coalitions occupying buildings on university and college campuses demanding education reform, and the black-gloved fists raised in protest by African American track and field medalists John Carlos and Tommie Smith during their medal ceremony at the Summer Olympic Games in Mexico City. Rudi's last letter is addressed to his by-then-deceased mother. In it he writes, "the plantation is wide and stretches beyond the horizon. . . . We toil from 'can't see' in the morning to 'can't see' at night. The master is cruel, but nobody 'knows' him better than his slaves. There is strength in this."[60] By now disoriented from doing time under the deliberately disorienting conditions of "no time," in this letter Rudi inquires about the crops and tells of his capture by slavers and his hopes for return to Africa. In this plantation cum prison, he says, "Thirty feet above me a man sits on a watchtower with a rifle."[61] This final letter speaks of loss, prison time management, plantation rules, the Panopticon's inspection tower, and survival of the Middle Passage's cargo hold.

I chose an excerpt from Dionne Brand's *A Map to the Door of No Return* as this chapter's epigraph to point to a symbolic moment and space of diaspora and belonging. This door, while located at La Maison des Esclaves (House of Slaves) museum on Gorée Island, off the coast of Senegal, stands as a symbolic memorial of forced migrations that led to the mass vending of black people across the Atlantic Ocean. On it, Brand writes, "I think that Blacks in the Diaspora feel captive despite the patent freedom we experience, despite the fact that we are several hundred years away from the Door of No Return, despite the fact that the door does not exist."[62] This captive feeling that Brand describes is one of the vestiges of unfinished emancipations. A key aim of this chapter is to question how what Bob Marley names "the Babylon system," and what Howard Winant situates as "the legacy and lessons of the Atlantic slave system,"[63] can help us to think about how blackness is often absented from surveillance studies. "Babylon System" is the fourth track from the album *Survival* by Bob Marley and the Wailers, which was released in 1979. In it, Marley sings of refusal, freedom, and rebellion, with lyrics like, "from the very day we left the shores" and "we've been taken for granted much too long." On the cover of the album is a schematic diagram of a slave ship with tiny figures meant to represent its human cargo. Superimposed on this diagram is the album's title, *Survival*. In 1789, the London Committee of the Society for Effecting the Abolition of the Slave Trade produced and distributed *Description of a Slave Ship* (figure 1.2). Unlike Bentham's blueprint of the Panopticon, this schematic diagram of a maritime prison is populated with tiny figures dressed in loincloths to represent the legally allotted amount of enslaved human cargo that the slave

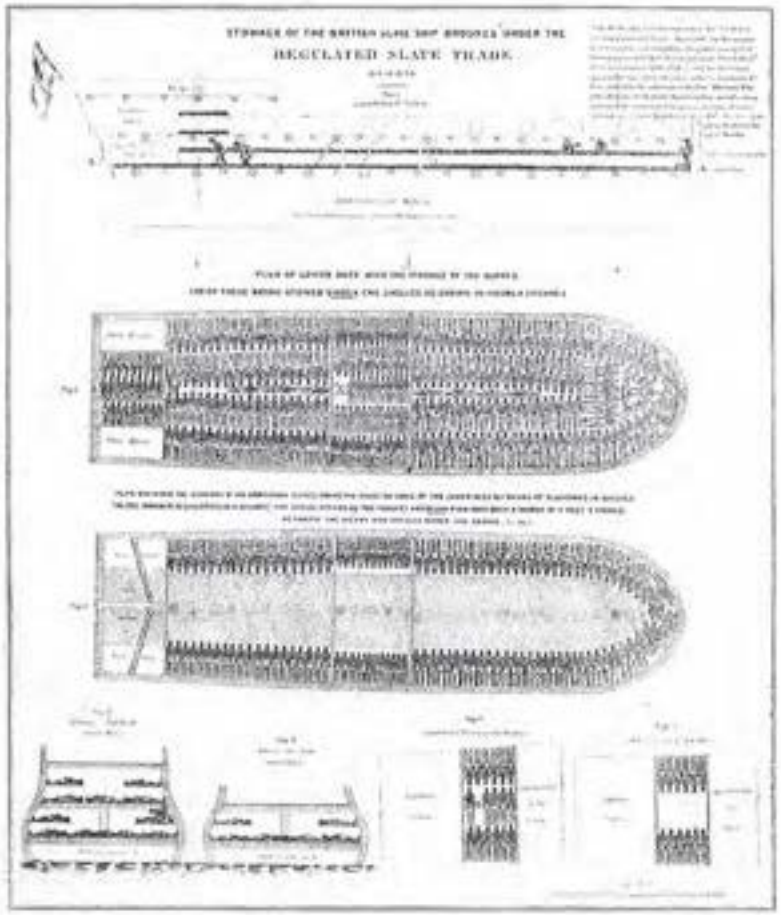


FIGURE 1.2. The plan of the slave ship *Brooks* (1789). Library of Congress, Rare Book and Special Collections Division, Washington, DC.

vessel *Brooks* (often referred to as *Brookes*) could transport under the Dolben Act of 1788, an act that regulated slave carrying and overcrowding.

Some background regarding this plan is necessary here.[64] The ship *Brooks* was built in 1781, commissioned by Liverpool-based slave merchant Joseph Brooks Jr. It was large as slave vessels go, weighing in at around 320 tons and at one point carrying 609 enslaved captives during a 1787 voyage from the Gold Coast of Africa to Kingston, Jamaica.[65] It took its final voyage in 1804 to Montevideo, Uruguay, under Captain William Murdock, where over three hundred people disembarked as slaves after a sixty-two-

day voyage from West Africa. *Description of a Slave Ship* was fashioned by the London Committee in the hope of making "an instantaneous impression of horror upon all who saw it."[66] A similar rendering of a slave ship was produced in December 1788 by the Plymouth Committee of the Society for Effecting the Abolition of the Slave Trade. Named the *Plan of an African Ship's lower Deck with Negroes stowed in the Proportion of only One to a Ton*, this earlier version featured an overview of an African ship's cargo hold along with text that laid out the Plymouth Committee's agenda, including the demand that the "cruelty and inhumanity of this trade must be universally admitted and lamented," and advocated for "an end to a practice, which may, without exaggeration be stiled one of the greatest evils at this day existing upon the earth."[67] Copies were circulated in and around Plymouth, with some copies sent to the London Committee. By April 1789 the London Committee had produced their version, which featured seven different views of the *Brooks*: a cutaway longitudinal view of the ship, cross sections of the stern deck and midship, and an overview of the plan of the lower deck with figures of the enslaved lying in a plank position, crammed into all available space. In a later version, *Stowage of the British Slave Ship "Brookes" under the Regulated Slave Trade Act of 1788*, the note for "Figure 3" detailed this cramped configuration: "the stowage of 130 additional slaves round the wings or sides of the lower deck by means of platforms or shelves (in the manner of galleries in a church) the slaves stowed on the shelves or below them have only a height of 2 feet 7 inches between the beams and far less under the beams."[68] Two feet and seven inches. The violence of slavery crudely reduced to geometric units, with room allotted for forty women, twenty-four boys, and sixty men, arranged in a "perfect barbarism," as abolitionist Thomas Clarkson described this formation.[69] This arrangement was, as W. E. B. Du Bois put it, "a foretaste of hell."[70] Slave trader Theodore Canot outlined the stowing process:

> The second mate and boatswain descend into the hold, whip in hand, and range the slaves in their regular places: those on the right side of the vessel facing forward, and lying in each other's lap, while those on the left are similarly stowed with their faces towards the stern. In this way each negro lies on his right side, which is considered preferable for the action of the heart.[71]

Without such "*strict* discipline," Canot wrote, "every negro would accommodate himself as if he were a passenger."[72] This spatial arrangement made

for a crushing asphyxia: "The men therefore, instead of lying on their backs, were placed, as is usual, in full ships, on their sides, or on each other. In which last situation they are not unfrequently found dead in the morning."[73] The cargo hold is a slow-motion death.[74] Some cheek-by-jowl, this crude arrangement made known that those crossing the Atlantic Ocean in this manner were not "passengers," as they were allotted "half the room afforded soldiers, emigrants or convicts on ships of the same period," but were instead to disembark, if alive, as slaves and as unfree.[75] Rediker names the slave ship as "containing a war within," in which sailors and other crew would function as prison guards who "battled slaves (prisoners)" when attempts at insurrection and other types of resistance were made.[76] Other forms of resistance to this shipping arrangement came by way of refusals to eat, suicides, with some accounts telling of captives rushing all at once to the leeward end of the vessel "in a gale of wind, on purpose to upset the ship, choosing rather to drown themselves" than be subject to a life in slavery.[77] They died from "grief, rage and despair," C. L. R. James remarks in *The Black Jacobins* as he describes how some jumped overboard "uttering cries of triumph as they cleared the vessel and disappeared below the surface."[78]

Noted on one popular version of the *Brooks* diagram is this text:

> The "Brookes" after the Regulation Act of 1788, was allowed to carry 454 Slaves, She could stow this number by following the rule adopted in this plate. Namely of allowing a space of 6 ft. by 1 ft. 4 in. to each man; 5 ft. 10 in. by 1 ft. 4 in. to each woman, & 5 ft. by 1 ft. 2 in. to each boy, but so much space as this was seldom allowed even after the Regulation Act. It was proved by the confession of the Slave Merchant that before the above Act the Brookes had at one time carried as many as 609 Slaves. This was done by taking some out of Irons & locking them spoonwise (to use the technical term) that is by stowing one within the distended legs of the other.[79]

With women, men, girls, and boys locked spoonwise and segregated by age and sex, the production and containment of gendered difference is apparent. This stowage plan is what Hortense Spillers calls the making of "scaled inequalities."[80] Such accounting and architectural practices highlight the scale of the violence and trauma of the Middle Passage, a passage so named as it formed the middle leg of a triangular journey (the Middle Passage was bracketed between the journey from Europe to Africa and that from the New World to Europe). The London Committee version, *Description of a*

Slave Ship, states that the male cargo would be shackled at the ankles, "two by two; the right leg of one to the left leg of the other, and their hands are secured in the same manor,"[81] while the figures representing women and children were, in that rendering, unshackled, but in closer proximity to the captain's cabin. The London Committee noted, "The principal difference is in the men. It must be observed, that the men, from whom only insurrections are to be feared, are kept continually in irons, and must be stowed in the room allotted for them, which is of a more secure construction of the rest."[82] The plan then, in its various versions, highlights the gendering of sexual violence, while diagrammatically and textually absenting the possibilities of women's leadership and resistance in insurrections, as "only insurrections are to be feared" from men.[83]

The *Brooks* diagram, "in serving the cause of the injured African,"[84] offers an overview of the stowage plan of the slave merchant's ship and forces me to reflect on my own surveillance practices in reading the archive of transatlantic slavery. The slave ship schematic is clinical in its architectural logic and provides an almost aerial viewpoint, overlooking the tiny black figures set to represent the enslaved drawn "like so many cartoon figures," as Spillers describes.[85] What does it mean that I now look to this plan, but not from the elevated and seemingly detached manner as it was first intended to be looked upon? When the plan was first fashioned, this vantage point was meant to be that of the predominantly white and male abolitionists and lawmakers. I am reminded here of what Donna Haraway calls the "conquering gaze from nowhere," a gaze that is always unmarked, and therefore already markedly white and male, and one that claims a power to "represent while escaping representation."[86] I am also reminded here of Frantz Fanon's moment of awareness of a "racial epidermal schema" on that train in France and "battered by tom-toms" and "slave-ships" and "dissected under white eyes, the only real eyes," when he says, "I took myself far off from my own presence, far indeed and made myself an object."[87] What this visual representation of the slave ship points to is the primacy given in these abolitionist texts to white gazes and vantage points to the trauma of slavery, where the tiny black figures are made to seem androgynous, interchangeable, and replicable. This is the "god-trick of seeing everything from nowhere," and, as Haraway warns, "this eye fucks the world."[88] So it gets a little tricky when I do this looking, seemingly an aerial reconnaissance mission of the archive of surveillance and of slavery. In the versions of the *Brooks* diagram that were produced in the United States, the slave

ship plan as abolitionist text was made clear. A version published in the periodical *American Museum* in May 1789 noted that it was "published by order of the Pennsylvania Society for promoting the ABOLITION of slavery."[89] Capitalization of all letters in "abolition" served an express purpose here, from the call for an end to the transatlantic slave trade to one for the abolition of slavery itself. Further, in this version the making of premature death through the stowage arrangements was described in this manner: "and reduced nearly to the state of being buried alive, with just air enough to preserve a degree of life sufficient to make them sensible of all the horror of their situation."[90] These conditions of premature death left many who traveled the Middle Passage as captives just on the cusp of survival. "Buried alive, with just air enough." According to Rediker, the mortality rate onboard the *Brooks* was 11.7 percent, which was "high for its own day (average for British ships between 1775 and 1800 was 7.95 percent)."[91] With a closer look at the *Description of a Slave Ship*, one can see that each of the tiny black figures are not replicas of each other; rather, some have variously crossed arms, different gestures, or seem to turn to face one another, while some stare and look back at the gaze from nowhere, and in so being the *Description of a Slave Ship* can also be understood as depicting black looks and the trauma of Middle Passage as multiply experienced and survived, and as hinting at the possible imaginings of what Omise'eke Natasha Tinsley terms "erotic resistance," that being the same-sex relationships forged because of and in spite of this shipping arrangement, where the formation of such relationships—like the intimate bond of shipmates—itself was an act of resistance to "imperial desires for Africans' living death."[92] Such resistance was a refusal of the Babylon system, or, as Bob Marley sings in "Babylon System": "we refuse to be what you want us to be / we are what we are."

Racializing Surveillance

The historical formation of surveillance is not outside of the historical formation of slavery. Using narratives of ex-slaves, runaway slave advertisements, the census, and a set of plantation rules as primary source data, what follows is a historicizing of some of the concepts and concerns that now shape the field of surveillance studies, approached by examining slave surveillance practices. The continuities that this archive reveals offer social

theorists, I argue, new ways of understanding surveillance in contemporary life.

PLANTATIONS, PASSES, AND RUNAWAYS

In the ten "General" and nineteen "Particular" rules for overseers recorded in the mid-nineteenth century by Charles William Tait for the governing of enslaved laborers on *Sylvania*, his 6,000-acre plantation in Columbus, Texas, Tait listed the prescribed methods for crop cultivation and clearing land, specified food rations, noted the daily schedule around meals and rest ("they must be ready to go to work by sunrise"), and detailed his punishment regime ("always attempt to govern by reason in the first instance and resort to force only when reason fails"), as well as postnatal procedures and back-to-work legislation for new mothers ("never require field-work of a woman, until the expiration of four weeks after confinement").[93] With the eighth general rule, Tait noted that "a regular and systematic plan of operation is greatly promotive of easy government. Have all matters therefore, as far as possible reduced to a system."[94] Tait's directives on the managerial control of slaves demonstrate how disciplinary power operated by way of set rules, instructions, routines, inspection, hierarchical observation, the timetable, and the examination. The timetable, then, was a means of regimenting enslaved labor through repetition where there was an attempt to account for every moment of enslaved life: "always require the negroes to eat their breakfast before they go to work" and "every negro-cabin to be inspected every sunday morning to see that it is kept clean. Every negro to appear in the field on Monday morning in clean clothes." Tait's fifteenth particular rule prescribed that "no profane or obscene language to be allowed among the negroes." The seventh general rule on punishment was an explicit directive regarding the overseer's performance that accompanied the punishment, as Tait wrote, "Never act in such a way as to leave the impression on the mind of the negro that you take pleasure in his punishment, your manner should indicate that his punishment is painful." So the prescribed punishment must be performed as a pain experienced by the overseer, who is not to express the possibility of pleasure taken in performing acts of violence. That a rule needed to be put in place in order to prevent such displays of violent delight should leave us to question the rates at which such pleasure was really expressed when, as Saidiya Hartman tells us, plantation practices sought to "make discipline a pleasure, and vice versa."[95] Importantly, this rule shows that for Tait, this pained perfor-

mance by the overseer was a suffering that was meant to be remembered in the mind of the punished. Overseers were instructed by Tait's ninth general rule that "Negroes lack the motive of self-interest to make them careful and diligent," so in order to incentivize enslaved workers, "do not therefore notice too many small omissions of duty." What Tait's rules for overseers also make known is that plantation surveillance was an exercise of both sovereign power and racialized disciplinary power, working simultaneously, discretionarily, and in a prescribed fashion, as both were put to use in plantation societies to render slave life expendable.

In Tait's rules for what he called the "easy government" of his East Texas plantation, the specific rules on bureaucratic management and surveillance of slave mobilities, notably escape, were also made plain with particular rule "17th the negroes are never to be allowed to leave the plantation unless by special permission, and a written pass" and particular rule "18th no strange negro to be allowed to visit the plantation, unless by permission of the overseer, & a written pass from his master." The slave pass system relied on the notion that the slave could be known through a written identification document. Christian Parenti's writings on the kinds of surveillance practices employed during chattel slavery in the southern United States name the "information technologies" of the written slave pass, wanted posters and advertisements for runaway slaves and servants, and organized slave patrols as key features of this system.[96] Parenti situates plantation surveillance as the earliest form of surveillance practiced in the Americas. This was a system of surveillance that was regulated through violence and the written word.

The following accounts from *Born in Slavery: Slave Narratives from the Federal Writers' Project, 1936–1938* detailing the slave pass system further this point:

> By 1845 there were many laws on the Statute books of Georgia concerning the duties of patrols. . . . Every member of the patrol was required to carry a pistol while on duty. They were required to arrest all slaves found outside their master's domain without a pass, or who was not in company with some white person. He was empowered to whip such slave with twenty lashes.[97]
>
> The pattie-rollers was something else. I heard folks say they would beat the daylights almost out of you if they caught you without no pass.[98]

In the plantation system, the restriction of the mobility and literacy of the enslaved served as an exercise of power. The racializing surveillance of the slave pass system was a violent regulation of black mobilities. On and off the plantation, black mobility needed to be tightly regulated in order for slave owners to maintain control, so, as ex-slave Anderson Furr put it, one had to "git a pass for dis and a pass for dat."[99] This was a system that also relied on the publication and circulation of newspaper advertisements for runaway slaves and truant servants that announced not only those who escaped or went missing from plantations, but also those people who left enslavement in private homes and establishments, like shops, inns, and taverns in cities and urban spaces.

Runaway slave advertisements reveal a lot about black flight to freedom, as these notices of escape would not only name those who left enslavement and made their own way, but also provide a physical description and list the monetary rewards, if any, that awaited those who aided in their capture and return. These ads would list their talents, occupations and skills, vices, languages spoken and whether or not they could read or write, strategies they might have used to escape, and what they were wearing and took with them when they made their way. Also listed would be clothing, musical instruments, and other items that could be sold, traded, bartered, or used to support the appearance of being free. An advertisement for a runaway slave might read like so: "RUN away, a Negro Man named Tom, born in Jamaica, but last from Havannah," "blubber Lips, yellow Complexion, his Hair is neither right Negro nor Indian, but between both," "His eyes very full, as if they were starting out of his head," "had on when he went away a felt Hat, a Cotton Cap, a Homespun Coat with brass Buttons, a West-coat without sleeves, an Oznabrigs shirt, Leather Breeches with Brass Buttons, a pair of worsted Stockings and a pair of yarn ones, two pair of peak'd toe'd Shoes," "his great Toes have been froze, and have only little pieces of nails on them," "plays well on the Fiddle, and can read and write; perhaps he may have a false pass," "is plausible and smooth in speaking, and may pass himself for a Sailor, having been used to a boat," whoever secures said Negro shall have a reward of five pounds.[100]

An unusually long 1762 advertisement for "a Mulatto Servant man named Charles Roberts" states not only his age and height, but the condition of the clothes he carried, "several other Waistcoats, Breeches, and Pair of Stocking; a blue Great Coat, and a Fiddle." John Holt placed this ad, and in it he states that Roberts spoke "smoothly and plausibly, and generally

with a cringe and a smile," and was good at arithmetic and accounting, leading Holt to charge that Roberts had probably forged documents to pass as a free man although he had "no legal claim to freedom." Holt laments that he placed confidence in Roberts, "which he has villainously abused; having embezzled Money sent him to pay for Goods, borrowed money and taken up goods" in Holt's name, unbeknownst to him. The reward for Roberts's capture in New York City was five pounds, and if found elsewhere the award would be greater. Anyone who captured him, the ad instructed, was to leave any money found on Roberts's person with the magistrate and was warned to be careful and "very watchful against an Escape, or being deceived by him, for he is one of the most artful of Villains."[101] Through their detailing of physical descriptions, the surveillance technology of the runaway slave advertisement was put to use to make the already hypervisible racial subject legible, borrowing again from John Fiske here, as "out of place."[102]

Runaway slave advertisements were not only about ascribing physical details to the runaway, but also offered the slave owner's assessment of the fugitive's character. One example of the role of runaway slave advertisements, and similarly wanted posters, in upholding racial categorization is a March 15, 1783, advertisement in the *Royal Gazette* offering a "Two Dollars reward" for "a Mulatto, or Quadroon Girl, about 14 years of age, named Seth, but calls herself Sall." This runaway advertisement states that Seth "sometimes says she is white and often paints her face to cover that deception." Seth's duplicity is not limited to her use of the alias "Sall," as this notice informs its readers, but also to her racial ambiguity, in her apparent choosing to self-identify or pass as white, rather than as "a Mulatto" (one black parent and one white parent) or a "Quadroon Girl" (one black grandparent), which was the racial nomenclature of the one-drop rule arising out of slavery and continuing beyond that institution. This advertisement also remarks that Sall has been "seen dancing" and "is well known in town, and particularly at the Fly-Market, for many wicked tricks." The Fly-Market in Lower Manhattan served as the city's market for provisions and other goods up until the early nineteenth century. Sall's ability to evade surveillance through makeup, wicked tricks, and hiding in plain sight exposes the one-drop rule as a social construction that, for some, could be subverted by performing whiteness. Seth's, or sometimes Sall's, hiding in plain sight—by identifying as white and using an alias—was a freedom practice to evade surveillance, and in so being a form of dark sousveillance. An 1836 runaway

advertisement describes Edmund Kenney, who escaped enslavement by passing as white, thus: "he has straight hair, and complexion so nearly white, that it is believed a stranger would suppose there was no African blood in him."[103] An 1845 advertisement boasting a five hundred dollar reward for "a negro woman named Fanny" described her as a Bible-carrying, literate, "intelligent woman" who was "as white as most white women, with straight light hair, and blue eyes, and can pass herself for a white woman."[104]

THE CENSUS

In 1848 when Ellen and William Craft made their way out of Georgia and escaped chattel slavery by trains and by ships, they were able to do so through the ways in which Ellen's body was able to trouble the one-drop rule. Born to a black mixed-raced mother and fathered by the white man who owned her mother, Ellen was, at the time, labeled a quadroon but able to pass as white, as sometimes deaf and an "invalid gentleman" named "Mr. William Johnson." She passed as her husband's owner in order to secure his freedom as well as her own.[105] She used a poultice and put it in a white handkerchief "worn under the chin, up the cheeks, and to tie over the head," hoping that this disguise would hide "the expression of the countenance, as well as the beardless chin."[106] Because she could not read or write at the time of her escape, she feigned inflammatory rheumatism and placed her right arm in a sling in order to evade detection if, for example, she were asked to sign her name in a hotel's guest register. With Craft, her passing in terms of race, passing in terms of gender, passing in terms of class, and passing in terms of disability all played a role in her and William's passing into freedom.[107] The Crafts eventually left Boston to later arrive in England, where they lived for nineteen years before returning to the United States, where they opened a school for children and a cooperative farm in Georgia. In the 1850 census, Ellen was listed as residing in Boston and her race is recorded as Black (or rather " for "ditto," as it was recorded in the column under William's). The 1850 census marked the first time that the federal census included slave schedules for some states in order to enumerate each enslaved person held in a household or dwelling. By the 1890 census, Ellen Craft was recorded as "M" for Mulatto and her occupation as "keeping house" in Bryan County, Georgia.

In the United States, racial nomenclature as a form of population management was made official with the taking of the first federal census in 1790,

which asked questions regarding the number of free white males, free white females, other free people, and slaves in a household. Census enumeration is a means through which a state manages its residents by way of formalized categories that fix individuals within a certain time and a particular space, making the census a technology that renders a population legible in racializing as well as gendering ways. The census is a form of "state stocktaking," as David Theo Goldberg puts it, which discloses "population size, shape, distribution, quality and flow of labor supply, taxation and conscription pools, political representation, voter predictability, and the necessities of population reproduction."[108] While such "state stocktaking" sees the census informant respond to a series of questions, including date of birth, how many people live in a single dwelling, and whether or not the dwelling is rented or owned, it takes the form of racializing surveillance through its very reinscription of racial categories. As an example, in terms of racial categories and the U.S. census form, there has remained a constant, unspecified whiteness as a racial category. Rather than employing an alphabetical order, "White" is always listed first among the boxes from which to choose in order to answer the question of the census informant's race. The proliferation of racial categories from which to choose, or have one's answer assigned, was first reserved for the management of blackness, with other groupings later added to reflect changing immigration patterns. In the 1890 census, Mulatto, Quadroon, and Octoroon appeared as subcategories of "Black," but by the 1900 census these subcategories were "collapsed into the singularity of an unqualified blackness," reflecting the one-drop rule.[109] "Mu" for Mulatto was reintroduced in 1910 and in the 1930 census it was replaced with "Neg" for Negro, a racial category that would fall in and out of favor, depending on each subsequent decennial enumeration. For the 2010 census, "Black, African-Am or Negro" were subsumed under one box and in 2013 the Census Bureau announced that "Negro" would be dropped from its surveys. As Goldberg writes, when the category "Mexican" was first introduced, it was understood as meaning not white unless the census informant "explicitly and accurately claimed white descent."[110] In this way, it was left to the census taker to judge whether the census informant's claim to the category of whiteness was valid, rather than accepting at face value the informant's self-identification as white. The 2010 questionnaire asks if the census informant is "of Hispanic, Latino, or Spanish origin," and, if "yes," the informant can choose "Mexican, Mexican Am., Chicano," Puerto Rican, or Cuban or fill in the blank to specify "another Hispanic, Latino,

or Spanish origin." From its inception, the census has been a technology of disciplinary power that classifies, examines, and quantifies populations.

What It's Like, What It Is: Controlling Images and Black Looks

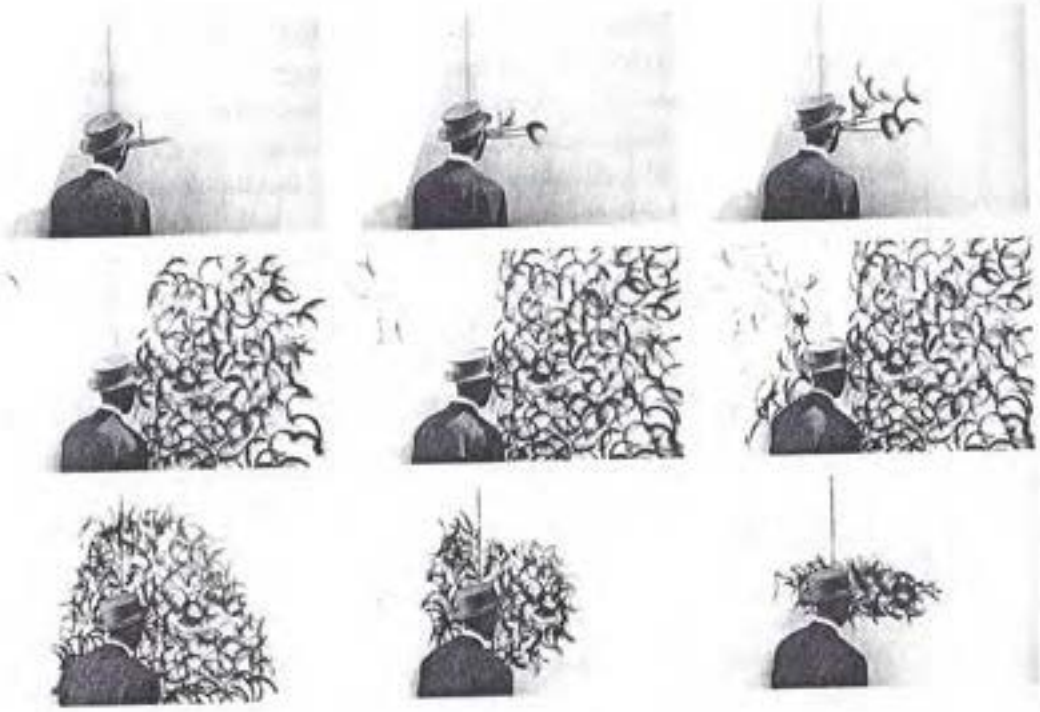
In *Fighting Words: Black Women and the Search for Justice*, while referring not specifically to prison surveillance or plantation slavery but to the post-slavery, segregated southern United States, Patricia Hill Collins writes that while racial segregation was aimed at black people as a group or class and sought to erase individuality by making black people seemingly interchangeable, surveillance "highlights individuality by making the individual hypervisible and on display."[111] As part of the practice of "racial etiquette" in the segregated South, surveillance, Collins tells us, was a way of ensuring that "Blacks would stay in their designated, subordinate places in white-controlled public and private spheres."[112] Collins situates the bodies and lives of black women who labored as domestic workers and the white-controlled private homes in which they were employed as the "testing ground for surveillance as a form of control" that was enacted by way of "techniques of surveillance," including close scrutiny, sexual harassment, assault, violence, or the threat thereof. For the white women who employed them, Collins argues, this arrangement was predicated on the illusion that "the Black women workers whom they invited into their private homes felt like 'one of the family,' even though they actually had second-class citizenship in the family."[113] Yet within these labor conditions of hypervisibility, black domestic workers needed to assume a certain invisibility where, as bell hooks observes, "reduced to the machinery of bodily physical labor, black people learned to appear before whites as though they were zombies, cultivating the habit of casting the gaze downward so as not to appear uppity."[114] Seemingly "invisible to most white people, except as a pair of hands offering a drink on a silver tray," this signifying act was performed by many domestic laborers so that they would be assumed to be readily manageable and nonthreating.[115] Coupled with this system of scrutinizing black women's domestic labor in private white homes was the controlling image of "the mammy," one of "several interrelated, socially constructed controlling images of Black women, each reflecting the dominant group's interest in maintaining Black women's subordination."[116] The mammy as a

representational practice relies on the circulation of stereotyped images and ideologies of black womanhood that seek to position black women as "the faithful, obedient domestic servant."[117] The mammy is depicted as caring for the family in which she is employed, often to the sacrifice of her own. This social control mechanism was "created to justify the economic exploitation of house slaves and sustained to explain Black women's long-standing restriction to domestic service," representing, as Collins puts it, "the normative yardstick used to evaluate all Black women's behavior."[118] In so being, the mammy served as a symbol of "the dominant group's perceptions of the ideal Black female relationship to elite White male power."[119] She is content, deferential, forgiving, nurturing, and loyal to the family that she cares for, operating with some authority, however marginal, while still knowing "her 'place' as obedient servant."[120] Such exaggerated representational strategies work to rationalize the economic exploitation and sexual subjugation of black domestic workers and of those who labor in low-paying conditions in the service sector. This mammy image circulates throughout dominant culture, from films such as *Gone with the Wind* (1939) to *The Help* (2011), to what Patricia A. Turner calls "contemptible collectibles," those distorted depictions of blackness that often take the shape of figurines, postcards, kitchen utensils, and lawn ornaments. Simply put, "Mammy is the public face that Whites expect Black women to assume for them."[121] Of course, many black women who labored in white households forged loving and nurturing relations with their own families, despite the harsh working conditions of white supremacy.[122]

In her discussion of the black gaze and looking relations during slavery and during the racial apartheid of Jim Crow in the southern United States, hooks notes that although black people "could be brutally punished for looking, for appearing to observe the whites they were serving, as only a subject can observe or see," the violent ways in which blacks were denied the right to look back "had produced in us an overwhelming longing to look, a rebellious desire, an oppositional gaze."[123] "Black looks" were politicized and transformative when, as hooks states, "by courageously looking, we defiantly declared: 'Not only will I stare. I want my look to change reality.'"[124] This stare is the type of "eyeballing disposition" that disrupts racializing surveillance where, as Maurice O. Wallace discusses, such looks challenge the "fetishizing machinations of the racial gaze."[125]

Disruptive staring is the focus of *Pan's Opticon*, a fifteen-panel photograph by South African artist Robin Rhode (figure 1.3). In it, Rhode's subject, a black man and Rhode's doppelgänger, is smartly dressed in a fashion similar to that of the subjects that South African photographer Ernest Cole documented in his 1967 book *House of Bondage* as they toiled, were relocated or banished, defied, and survived under passbook laws and the racist repression of apartheid South Africa. It can also be said that Rhode's subject gestures to the *tsotsi* aesthetic popularized by Soweto youth and those in other townships of Johannesburg in the 1940s, a style and fashioning of masculinity that reflected working-class township life: a dark pinstriped jacket, white-collared shirt, and a straw boater hat.[126] His back is to the camera as he faces a concrete wall. His stare is accessorized with inside calipers—like compasses, but with the needles at each end curving outward—that appear to jut out from each of his eyes. The inside caliper first appeared around the sixteenth century as a measuring device often used to determine the dimensions of an aperture, that being the space through which light rays pass and come into focus on an image surface. In photography, the aperture's diameter regulates the amount of light that reaches the image surface. The smaller the aperture size, the darker the surface will appear. For the astronomical telescope, the aperture is the optical element that gathers light and brings the atmosphere into focus. No telescope, so far, can make dark matter visible.

Rhode's subject in the *Pan's Opticon* series is suited up with a prosthetic look. His ocular interrogation confronts the Panopticon and the architecture of surveillance—corners, shadows, reflections, and light—covering the wall with dark matter. On the subject of walls and architecture, Rhode writes that "when one speaks of walls, one speaks of security, privacy, and demarcation."[127] Rhode's *Pan's Opticon* is a play on Bentham's Panopticon. Rhode's naming of his series of photographs with the possessive noun *Pan's* is a claiming of Bentham's eighteenth-century plan for "obtaining power of mind over mind."[128] Rhode's black subject is not backed into a corner, but facing it, confronting and returning unverified gazes. That Rhode is a South African artist based in Germany points to the ways that disruptive staring can be transnational, as transnational as the structures that it disrupts. The stenciled circumferences of incomplete circles of black spray paint seemingly emanate from his eyes onto the wall's surface. With each frame of the storyboard, the circles refracted by the subject's eyes multiply, overlapping each other like disorganized Venn diagrams until the corner is completely covered in dark matter. In one frame, no neat stenciled circles appear, just two solid but smaller black circles of spray paint dripping down from the calipers onto the concrete wall, suggesting, perhaps, a peephole for a cu-



rious spectator's stolen vision, or the excesses of black looks that bleed outside stenciled borders, color outside the lines, and are out of place.

The disruptive stare of the subject in Adrian Piper's video installation *What It's Like, What It Is #3* (figure 1.4) is one such act of courageous looking. At the center of this installation is a four-sided column, like the Panopticon's inspection tower, but with each side of the column fitted with a television screen. Each screen plays prerecorded video of the front, back, and profile views of a black man (actor John L. Moore) who stares at those watching Piper's installation as he states his refusals of the stereotypes placed upon blackness: "I'm not pushy. I'm not sneaky. I'm not lazy. I'm not noisy." After listing four such refusals, he turns to face another direction and then lists four more: "I'm not vulgar. I'm not rowdy. I'm not horny. I'm not scary." He looks directly at the viewers of this installation, who can be either standing or seated on the bleacher-like seating that surrounds the center column. The installation is all-white and through its use of mirrors, the video is reflected throughout. In this setting like a lecture hall, viewers

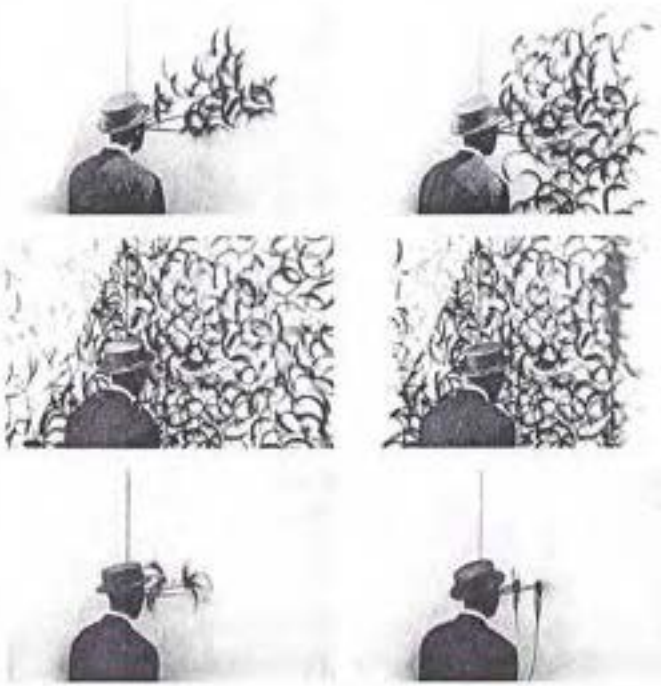


FIGURE 1.3. Robin Rhode, *Pan's Op con* (2008). Fifteen dig pigment prints mount on four-ply museum bo each 20⅞ × 31⅝ × 1⅝ inches. © Robin Rhoc Courtesy of the artist a Lehmann Maupin, Ne York and Hong Kong

of this installation are then instructed by the lists of refusals of the critique coming from the bodiless head in the column. In this way, *What It's Like, What It Is #3* can be read as confronting the surveillance imposed upon black life. The soundtrack to the nearly five-minute video of the installation is the Commodores' song "Zoom" (1977), playing in the background while the subject tells what it's like to live with antiblack racism, racial stereotyping, and the scrutiny of white supremacy coming from all sides: "I'm not shiftless. I'm not crazy. I'm not servile. I'm not stupid." His list of what black people are not is looped in repetition, leaving a space for alternative imaginings of what blackness really is and could be, while the voice of Commodores lead singer Lionel Richie croons in the background track, singing, "Zoom. I'd like to fly far away from here . . . where everybody can be what they want to be" and "I wish the word they call freedom someday would come." The song's lyrics express hope for escape, freedom, and a new way of being. In this way, Piper's piece offers us a look at oppositional gazing and talking back to the normalizing judgment and hierarchical observa-

FIGURE 1.4. Adrian Piper, *What It's Like, What It Is #3* (1991). Video installation: wood constructions, mirrors, lighting, videodiscs, videotape, music soundtrack, dimensions variable. Photo credit: David Campos. Collection of the Adrian Piper Research Archive Foundation Berlin. © APRA Foundation Berlin.

tion of disciplinary, controlling images. Talking back is, as hooks puts it, "the expression of our movement from object to subject" and a "gesture of defiance that heals, that makes new life and new growth possible."[129] Talking back, then, is one way of challenging surveillance and its imposition of norms.

3

B®ANDING BLACKNESS

BIOMETRIC TECHNOLOGY AND THE SURVEILLANCE OF BLACKNESS

Two days before embarkation, the head of every male and female is neatly shaved; and if the cargo belongs to several owners, each man's brand is impressed on the body of his respective negro. This operation is performed with pieces of silver wire, or small irons fashioned into the merchant's initials.
—THEODORE CANOT, *Memoirs of a Slave Trader*

We have been branded by Cartesian philosophy.
—AIMÉ CÉSAIRE, *Discourse on Colonialism*

Let's face it. I am a marked woman, but not everybody knows my name.
—HORTENSE SPILLERS

You can find *Wilson Chinn* on eBay.com or other online auction sites for sale among antebellum ephemera. Wilson Chinn's portrait was taken around 1863 by Myron H. Kimball, a photographer with an interest in daguerreotype and a correspondent with the *Philadelphia Enquirer* during New York's 1853 World's Fair. Kimball also served as an official photographer for the Freedman's Bureau. In this particular portrait, a chain is tied around Chinn's ankle and various tools of torture lie at his feet: a paddle, a leg iron, a metal prodding device. The caption below the image reads, "exhibiting Instruments of Torture used to punish slaves." The carte de visite (figure 3.1) captures Wilson Chinn's stare at the camera. Particularly striking is the "longhorn," or pronged metal collar, fastened around Chinn's neck. An 1862 copy of *Harper's Weekly* describes this torture device as consisting of three metal prongs, "each two feet in length, with a ring on the end," to which would be attached a chain to "secure the victim beyond all

FIGURE 3.1.
Wilson Chinn, a Branded Slave from Louisiana.
Carte de visite (1863).
Library of Congress Prints and Photographs Division, Washington, DC.

possible hope of escape." This burdensome device would prevent its wearer from "lying down and taking his rest at night."[1] Not entirely visible in this carte de visite is the brand on Chinn's forehead: the initials V. B. M. Valsin Bozonier Marmillion was a Louisiana planter and slaver. When Chinn was in his early twenties, he was sold to Marmillion's father, Edmond. The Marmillions had a penchant for branding: "Of the 210 Slaves on this plantation 105 left at one time and came into the Union camp. Thirty of them had been branded like cattle with a hot iron, four of them on the forehead, and the others on the breast or arm."[2] The brand here is a traumatic head injury that fixed the black body as slave—or, at least, attempted to. An ex-slave,

Chinn escaped to Union lines in New Orleans and was "freed" by Major General Nathaniel P. Banks.

Wilson Chinn, the carte de visite, brings plantation punishment, branding, and escape into focus. I continue here with the discussion begun in chapter 2 on the *Book of Negroes*, lantern laws, and how the tracking of blackness as property informs the contemporary surveillance of the racial body by now questioning how the intimate relation between branding and the black body—our biometric past—can allow us to think critically about our biometric present. Biometric information technology, or biometrics, in its simplest form, is a means of body measurement that is put to use to allow the body, or parts and pieces and performances of the human body, to function as identification. In order to understand the meanings of branding as historically situated, in this chapter I explore some early applications of this biometric information technology and question its role in the racial framing of blackness as property. What I am suggesting here is that branding in the transatlantic slave trade was a biometric technology, as it was a measure of slavery's making, marking, and marketing of the black subject as commodity.

The first section of this chapter, Branding Blackness, provides a discussion of the practice of branding and its role in the making of the racial subject as commodity at the ports of the transatlantic slave trade. I do this by looking to narratives, some written by abolitionists, others by slave merchants and owners. As well, I look at the uses of branding as a form of racializing surveillance: as both corporeal punishment in plantation societies and in urban domestic settings of slave ownership, and for identification purposes. I do this through a reading of Frantz Fanon's observations on epidermalization, that being the "epidermal racial schema" that sees the black body fashioned as "an object among other objects."[3] Epidermalization, Paul Gilroy tells us, stems from "a historically specific system for making bodies meaningful by endowing in them qualities of 'colour.'"[4] Drawing on Frantz Fanon's theory of epidermalization, I consider the historical specificity of branding as a practice put to use to ascribe certain meanings to certain bodies: as a unit of tradeable goods, runaways, survivors. To more clearly draw the links between biometric information technology and transatlantic slavery, I trace its archive, namely written narratives, runaway notices, a carte de visite. This is a difficult archive to write about, where iron instruments fashioned into rather simple printed type became tools of torture. It is also a painful archive to imagine, where runaway notices speak of bodies scarred

by slavery and of those that got away: "Twenty dollars reward. Ranaway from the subscriber, a negro woman and two children; the woman is tall and black, and a few days before she went off, I burnt her with a hot iron on the left side of her face; I tried to make the letter M."[5]

The branding of the slave played a key role in the historical formation of surveillance. Although branding was practiced as a means of punishment for white servants and sometimes to punish abolitionists, it is not the focus of my discussion here. This practice has been documented by Marcus Wood's research on the branding of abolitionist Jonathan Walker with *SS* for "Slave Stealer" on his right palm in 1844 as punishment for his attempt to help enslaved people make their escape from Florida to freedom. Wood argues that Walker's brand became "the most visible brand in the history of American slavery" and that through its display, its reproduction in printed texts including children's books, photographs, John G. Whittier's ballad "The Branded Hand," and Walker's personal appearances, it "became a fragmentary monument to the cause of abolition and the suffering of the slave."[6] Instead, I look here at how the branding of blackness remains visible, and also makes certain brands visible. Put differently, this chapter examines branding not only as a material practice of hot irons on skin, but as a racializing act, where the one-drop rule was a technology of branding blackness that maintained the enslaved body as black.

Can the epidermal racial schema that Fanon makes plain be found in some contemporary biometric information technologies—the iris scanners and fingerprint readers that are said to secure borders and protect a collective "us" from identity fraud and personal data theft? To answer this question, in the second section of this chapter, Branding Biometrics, I examine the role played by prototypical whiteness and how it is coupled with dark matter in the making of some bodies and not others as problematic in biometric technology and its attendant practices. By "practices" I am referring here specifically to research and development (R&D) coming out of the biometrics industry. In the third section, Blackness *B®anded*, I discuss the branding of blackness in contemporary capitalism with a focus on actor Will Smith's blockbuster movies that market biometric information technology: *Enemy of the State*, *Men in Black*, and *I, Robot*. As well, I look to visual artist Hank Willis Thomas's *B®anded* series for the ways in which it points to and questions the historical presence of branding blackness in contemporary capitalism. I do this to suggest that these moments and texts allow us a reading of branding and biometrics as a commodification of in-

formation of and about the body that is highly contingent upon discursive practices for its own making and, in the case of Thomas's *B®anded* series, unmaking.

Branding Blackness

> Right on her rib was a circle and a cross burnt right in the skin. She said, "This is your ma'am. This," and she pointed. "I am the only one got this mark now. The rest dead. If something happens to me and you can't tell me by my face, you can know me by this mark." Scared me so. All I could think of was how important this was and how I needed to have something important to say back, but I couldn't think of anything so I just said what I thought. "Yes, Ma'am," I said. "But how will you know me? How will you know me? Mark me, too," I said.
>
> —SETHE IN TONI MORRISON'S *Beloved*

What can branding during the transatlantic slave trade tell us about the production of racial difference? In her influential 1987 essay "Mama's Baby, Papa's Maybe: An American Grammar Book," Hortense Spillers emphasizes that the trafficking of humans in the transatlantic slave trade marked a violent "*theft* of the *body*," rendering the captive body "a territory of cultural and political maneuver."[7] Branding was a practice through which enslaved people were signified as commodities to be bought, sold, and traded. At the scale of skin, the captive body was made the site of social and economic maneuver through the use of iron type. The brand, sometimes the crest of the sovereign and at other times alphanumeric characters, denoted the relation between the body and its said owner. In an early eighteenth-century account of slaving along the Cape Coast of Africa, John Atkins, a surgeon for the British Royal Navy, remarked of those enslaved there, "they are all marked with a burning Iron upon the right Breast, D.Y. Duke of York."[8] In this case, these marks of identification served to distinguish those who were enslaved by the English from other slaveholding entities. In this way, branding before embarkation, on the slave vessel, and at the point of disembarkation must be understood alongside its implication in the formation of the "racial state."[9] David Theo Goldberg has shown that in its effort to oversee economic possibilities, the racial state shapes labor relations and "will open or stem the flow of the racially figured labor supply in response to the needs of capital, but delimited also by political demands and worries."[10] Goldberg further points out that in the "naturalistic extreme, racially

identified groups are treated much like the natural resources found in the environment, no different than the objects of the landscape available for the extraction of surplus value, convenient value added to raw material."[11] Branding before embarkation on the slave vessel was executed in such a fashion, where humans seen as resources to be extracted were branded with a clinical precision. The following passage is taken from a late seventeenth-century account of a barracoon by French slave merchant John Barbot. It tells of branding for the purposes of identifying those made slaves as units within a larger cargo:

> As the slaves come down to Fida from the inland country, they are put into a booth, or prison, built for that purpose, near the beach, all of them together; and when the Europeans are to receive them, they are brought out into a large plain, where the surgeons examine every part of every one of them, to the smallest member, men and women being all stark naked. Such as are allowed good and sound, are set on one side, and the others by themselves; which slaves so rejected are there called Mackrons, being above thirty five years of age, or defective in their limbs, eyes or teeth: or grown grey, or that have venereal disease, or any other infection. These being so set aside, each of the others, which have passed as good, is marked on the breast with a red-hot iron, imprinting the mark of the French, English, or Dutch companies, that so each nation may distinguish their own, and to prevent their being chang'd by the natives for worse, as they are apt enough to do. In this particular, care is taken that the women, as tenderest, be not burnt too hard.[12]

What this narrative also makes known is that branding was not only a mass corporate and crown registration of people by way of corporeal markers, but an exercise of categorization whereby those deemed most fit to labor unfreely, that being the "good and sound," were distinguished from others and imprinted, literally, with the mark of the sovereign. Here, African children, women, and men were violently made objects for trade. Slave branding was a racializing act. By making blackness visible as commodity and therefore sellable, branding was a dehumanizing process of classifying people into groupings, producing new racial identities that were tied to a system of exploitation. But as the above quote details, branding was also a gendering act, as with women a discretionary concern was said to be taken. In this "large plain" turned slave factory, bodies were made disabled, as

those named contagious or defective in their limbs, eyes, and teeth were rejected. Thus the barracoon, or slave barracks, was a slave factory where the surgeon's classificatory, quantifying, and authorizing gaze sought to single out and render disposable those deemed unsuitable, while imposing a certain visibility by way of the brand on the enslaved. That Barbot chose to name the spatial logic of capture as a purpose-built prison gestures toward the bureaucratic regulation of branding as part of the much larger carceral and traumatic practices of transatlantic slavery.

Later in this narrative, Barbot describes the enslaved Africans at Fida as sourced from various countries "where the inhabitants are lusty, strong, and very laborious people" who, he writes, although not "so black and fine to look at as the North-Guinea and Gold-Coast Blacks," are more suitable "for the American plantations, than any others; especially in the sugar islands, where they require more labour and strength." On the topic of uprisings, Barbot warns that "Fida and Ardra slaves are of all the others, the most apt to revolt aboard ships, by a conspiracy carried on amongst themselves."[13] The barracoon, it seems, was also a space for ascribing an ontological link between labor preparedness, race, ethnicity, and resistance. A useful concept to help think about this making of intergroup distinctions here is what Joe Feagin has termed the "white racial frame."[14] Distinctions made by Barbot and other merchants of slavery between the "black and fine" and the "lusty and strong" speak to the early role of the "dominant white racial frame" in categorizing difference, where blackness is framed as unruly, with some said to be more unruly than others. Feagin outlines the dominant white racial frame as consisting of an "anti-black subframe" that worked to rationalize slavery and its attendant violence by framing, or I would say by branding, blackness as "bestial," "alien," and "rebellious," among other markers of difference, in the white mind.[15] With this antiblack subframe came representations of blackness as ungrateful and unruly.

To unpack this antiblack subframe, Feagin looks to the eighteenth-century writings of Edward Long, an English settler in Jamaica. Long was a slave owner and a self-fashioned ethnographer who minutely detailed the flora and fauna of the island and outlined the usual suspects of pseudo-scientific discourse used to falsify evolutionary trajectories and stratify human groupings: physiology, phrenology, temperament, primate analogies, and even dental anatomy: "no people in the world have finer teeth than the native Blacks of Jamaica," Long wrote.[16] Long's extensive, three-volume *The History of Jamaica* (1774) attempts to place Jamaicans within the taxonomic

space of flora and fauna. His effort at botanical classification, and human categorization and division is part of a larger imperial project of colonial expansion that aimed to fix, frame, and naturalize discursively constructed difference by situating black Jamaicans as at once innately primitive and corrupting, and as objects to fear, through his claims of the existence of cannibalism in the colonies with statements such as, "many Negroes in our colonies drink the blood of their enemies."[17] On black women, Long had much to say regarding servility, sexuality, and the intersection of both in the colonial context: "the Europeans, who at home have always been used to greater purity and strictness of manners, are too easily led aside to give loose to every kind of sensual delight, on this account some black and yellow *quasheba* is sought for."[18] Although "Quasheba," also known as "Quashie," is a stereotyped caricature of a black Jamaican enslaved woman known for her outspokenness and independent qualities, or her facetiness, the way that Long invokes quasheba here functions to displace the sexual violence of slavery onto enslaved women, and in so doing, masking the violence of the colonizer. In this way neither desire nor "sensual delight" could be removed from the relations of power within the colonial project where, as Robert Young argues, the "paranoid fantasy" of "the uncontrollable sexual drive of the non-white races and their limitless fertility" abounded.[19]

Barbot's narrative of branding at the barracoon comes out of the same taxonomic project as Long's, where appeals to the naturalization of difference aimed to fix social hierarchies that served the order of the day: colonial expansion, slavery, racial typology, and racial hierarchization. In an earlier passage, Barbot writes that although he was "naturally compassionate," he sometimes caused "the teeth of those wretches to be broken, because they would not open their mouths" in their refusal to eat.[20] The false pretense of naming resistance to force-feeding as unruliness is an attempt to mask the violence of the slave trader by displacing the violence of slavery onto the African. However, such refusals by the enslaved were agential acts that challenged the slaver's attempts at force-feeding, correction, and the imposition of a lived objecthood. In its creative remembering of the brutalities of transatlantic slavery, abolitionist Smith H. Platt's fictionalized account, *The Martyrs and the Fugitive; or a Narrative of the Captivity, Sufferings, and Death of an American Family, and the Slavery and Escape of Their Son* (1859), gives us some insight into the violent practice of branding onboard the slave ship. This fictional narrative tells the story of Bobah and Mabowah, who were kidnapped, along with their two children, from the interior of south-

western Africa and were later renamed Jacob and Ruth Welden when they arrived in Savannah, Georgia. During their journey, Platt writes, "mothers with babes at their breasts were basely branded and lashed, hewed and scarred," and hot irons were fashioned "in the form of certain letters or signs dipped into an oily preparation, and then pressed against the naked body till it burnt a deep and ineffaceable scar, to show who was the owner."[21] All of this was done, Platt's account explains, under threat of a cat-o'-nine-tails, an instrument often put to use when the brand was met with resistance, and those made slave "were lashed without mercy on the bare back, breasts, thighs" with "every blow bringing with the returning lash pieces of quivering flesh."[22] On those marked for death, branding sought to inscribe a slow, premature death on black skin.

SILVER WIRE AND SMALL IRONS: EPIDERMALIZATION

Epidermalization, Stuart Hall writes, is "literally the inscription of race on the skin."[23] It is the disassociation between the black "body and the world" that sees this body denied its specificity, dissected, fixed, imprisoned by the white gaze, "deafened by cannibalism, backwardness, fetishism, racial stigmas, slave traders, and above all, yes, above all, the grinning *Y a bon Banania*."[24] "Y'a bon" is the slogan for Banania, a banana flour–based chocolate drink first sold commercially in France in the early 1900s and popularized with a caricature of a smiling, red fez–wearing Senegalese soldier with his rifle at his feet gracing the drink's packaging. Such commodity packaging is invested with the scientific racism, like that expressed by both Long and Barbot, which depicted Africans as servile, primitive, and ranked as an inferior species. An earlier campaign for this product featured an image of a woman, ostensibly a Caribbean woman, flanked by two banana bunches and holding an open can of Banania in each hand, pouring its contents onto the celebrating and joyous French masses pictured below. The French words for "energy," "force," "health," and "vigor" animate the powdered drink mix as it is pictured flowing from the woman's hands, as if to say that the cocoa and banana plantations of the Caribbean and Central America will restore national vigor through, as the promotional copy tells us in French, a *suralimentation intensive*, a revitalizing boost of energy. With this, the Caribbean is made an exotic, as well as an eroticized, source of power of the French colonial project.

Since then, Banania's advertising campaigns continue to convey what Anne McClintock calls "commodity racism," where "mass-produced

consumer spectacles" express "the narrative of imperial progress."[25] McClintock explains that commodity racism is

> distinct from scientific racism in its capacity to expand beyond the literate, propertied elite through the marketing of commodity spectacle. If, after the 1850s, scientific racism saturated anthropological, scientific and medical journals, travel writing and novels, these cultural forms were still relatively class-bound and inaccessible to most Victorians, who had neither the means nor education to read such material. Imperial kitsch as consumer spectacle, by contrast, could package, market and distribute evolutionary racism on a hitherto unimagined scale.[26]

Today, the chocolate drink's mascot is a childlike cartoon character with exaggerated red lips, though still sporting a red fez and a wide toothy grin. His name is simply Banania. He dances, Rollerblades, builds snowmen, and walks through the jungle, among other activities, hawking a variety of chocolate products on the Banania website. Truly an object among objects. This is the epidermal racial schema that, as Fanon tells us, returned his body to him "spread-eagled, disjointed, redone" and in so being negatively racialized.[27] This epidermal racial schema makes for the ontological insecurity of a body made out of place, and "overdetermined from the outside."[28] I am taking epidermalization here as the moment of fracture of the body from its humanness, refracted into a new subject position ("Look, a Negro!" or "Look, an illegal alien!" or some other negatively racialized subject position). In other words, it is the moment of contact with the white gaze—a moment where, as Fanon describes, "all this whiteness burns me to a cinder"[29]—that produces these moments of fracture for the racial Other, indeed making and marking one as racial Other, experiencing its "being for others."[30] This is not to say that by being object to the white gaze one is interpellated into a completely passive, negated object, existing only as objection. Instead, Fanon offers us an insightful correction to theorizing moments of contact with the white gaze, where instead the racial subject's humanness is already established, and identities are realized and constructed by the self; where "black consciousness does not claim to be a loss. It *is*. It merges with itself."[31] It is the making of the black body as out of place, an attempt to deny its capacity for humanness, which makes for the productive power of epidermalization. So this making of blackness as out of place must be read as also productive of a rejection of lived objectivity, as

being out of place.[32] Think here of ex-slave Sam's facetiness, as told in chapter 2, and the remarkable way in which he turned up the white of his eyes, escaped, and made his own way, as if to say, "I'll show them! They can't say I didn't warn them."[33]

Epidermalization continued in its alphanumeric form through a series of steps and measures upon disembarkation, during the purchase of slaves and in plantation punishment. Abolitionist Thomas Clarkson, in his efforts to collect evidence of the brutalities of the slave trade, conducted interviews with those involved in the trade, namely aggrieved sailors, first in Bristol, England, beginning in June 1787, and later Liverpool, and then in August 1788 he traveled to other ports along the River Thames. One of these accounts tells of slave merchants branding slaves at the moment of disembarkation in the West Indies. Clarkson's informant explained the process, relaying that "the gentleman, to whom the vessel was consigned" would board the ship, making "use of an iron pot, into which he put some rum. He set the rum on fire, and held the marking irons over the blaze."[34] The enslaved were then ordered "to pass him one by one" as he "applied the irons to each slave" and "branded them before they went out of the ship."[35] An assembly line of simple but violent instruments: rum, oil, silver wire, iron pots, fire. Branding upon disembarkation was not only the domain of British slave merchants. As Saidiya Hartman explains in *Lose Your Mother: A Journey along the Atlantic Slave Route* (2007), the Dutch West India Company (WIC) branded the enslaved on arrival in Curaçao, as the island served as the hub, of sorts, for slave trading throughout the Spanish Americas.[36] In Curaçao, the brand was sometimes administered at the slave market right on the auction block, and the scars that remained as evidence of that trauma were used to identify enslaved people at auction, during criminal proceedings, and postmortem.[37] For captains of slave ships under the Dutch charter companies, instructions for administering the brand were formally articulated: "as you purchase slaves you must mark them at the upper right arm with the silver marker CCN, which is sent along with you for that purpose," and the procedure was laid out in two parts: "note the following when you do the branding: (1) the area of marking must first be rubbed with candle wax or oil; (2) The marker should only be as hot as when applied to paper, the paper gets red."[38] These were the instructions for branding set out by the Middelburgsche Commercie Compagnie, or the Trade Company of Middelburg, a Dutch charter company that later displaced the WIC in slave trading. The WIC kept detailed records and used

Arabic numeral branding irons until 1703, after which time the company began to use alphabetic branding irons in an *A–Z* sequence, with the exception of the letters *U* and *J* so as not to be confused with the letters *V* and *I*, and the letter *O* was not used due to the iron being worn down. Think here of what it means for a branding iron, used to mark humans as property, to be worn down. The WIC's *A–Z* sequence was first complete in 1715, recommenced, and then last put to use in 1729 with the letter *T* to mark those enslaved on the ship *Phenix*.[39]

Sherley Anne Williams's novel *Dessa Rose* tells the story of Dessa, who, when traveling as part of a coffle of slaves, was involved in an uprising and was condemned to death for her role in that battle. Pregnant at the time of her recapture, with assistance Dessa eventually escaped from her jail, marked with the scars of corporeal punishment: whip scarred and branded with the letter *R*, a mark of punishment that remains inscribed on the body. These scars made the private space that is Dessa's body publicly legible as commodity, in a way: "he could prove who I was by the brand on my thigh."[40] However, she refused the idea that her body was a text that could be so easily read. Similarly, Sethe in Toni Morrison's *Beloved* (1987) could not comprehend it when her mother slapped her when she said, "Mark the mark on me too."[41] "Not till I had a mark of my own," Sethe said, did she come to understand her mother's rejection of the brand.[42] Although a fictionalized account, *Dessa Rose* articulates and disrupts branding as an attempt at making the body legible by functioning as a means of identification. This story, like those of nonfictional enslaved people found in the archive of racial slavery, makes known that branding was a practice of punishment and accounting, and a preemptive strike at marking the already hypervisible body as identifiable outside of the plantation and other spaces of enslavement, whether those branded found themselves outside through escape or by other means (for example, abduction or leasing out).[43] For instance, in 1655 the Barbados Council prescribed branding the letter *R* on the forehead of any runaway slave found to have set fire to the sugarcane fields, while the Society for the Propagation of the Gospel in Barbados ceased branding SOCIETY on the chests of those it enslaved in 1732.[44] Of course, many ran away, regardless of receiving this marking as slave. A notice published in the *Pennsylvania Gazette* on April 15, 1756, posting a reward of forty shillings for "a Negro man named Cato, alias Toby" attests to this: "he was branded when a boy in Jamaica, in the West Indies, with a B (and I think) C on his left shoulder blade," the advertisement states. In this advertisement Cato is described as a "sly artful fellow" who "deceives the credulous, by pretending to tell fortunes, and pretends to be free." In this way, the *B* and the *C* on Cato's shoulder served as a sign that could betray his identity despite his cunning use of an alias and other artful tactics. An August 29, 1757, advertisement placed in the *New York Gazette* lets us know that over a year later Cato was still unaccounted for, or rather that he had changed his name and asserted himself as someone who counted, as "it is supposed he has forged a pass."[45] While a January 3, 1778, runaway notice for "a Negro boy named ALICK" placed by Richard Wright in New York's *Royal Gazette* notes that Alick "is branded on the breast with the letters R.W."[46]

Although branding was a practice of racializing surveillance that sought to deny black human life from being multiply experienced (every body marked SOCIETY), running away and numerous other counterpractices suggest that dehumanization was not fully achieved on an affective level, and that those branded were still ungovernable under the brand, or in spite of it. For example, the diaries of English overseer-turned-planter and slave owner Thomas Thistlewood tell of plantation conditions in eighteenth-century Jamaica and the life of an enslaved woman named Coobah (or the possessive "my Coobah," as she is often called by Thistlewood in his diaries), one of the many women, children, and men that were subjected to his brutalities, as detailed in his diaries. Among the data that he collected on the people he enslaved, Thistlewood would record in his diaries the dates and locations of his predatory sexual advances by marking the letter *x* three times in a triangular formation. Coobah is described as "4 feet 6 Inches and 6/10 high, about 15 years of age, Country name Molio, an Ebo" when she was purchased by Thistlewood in 1761.[47] Coobah, or Molio, was branded on her right shoulder with Thistlewood's brand mark, a TT within an inverted triangle. In his diaries Thistlewood records Coobah as often ill, having suffered from pox in 1765 with "stout water" prescribed as a remedy, the loss of her infant daughter Silvia in 1768, and as enduring Thistlewood's sexual assaults (one time recorded in his diary in broken Latin: "Cum Coobah (mea) in Coffee gd. Stans!Backwd"—"with Coobah in the coffee ground. Standing! Backwards").[48] Coobah escaped captivity numerous times. Each time she was recaptured, she was severely punished: flogged, chained and collared (although she escaped and was recaptured still wearing the chain and collar), or with iron restraints fastened upon her at "noon and night." Even after being branded on her forehead for punishment after one escape ("flogged her well and brand marked her in the forehead"), Coobah contin-

ued to run away from Thistlewood.[49] On July 11, 1770, five days after Coobah was brutally branded with TT on her forehead as a form of punishment for her escape, Thistlewood wrote in his diary that he had found "Coobah wanting this morning." In defiance of the brand, she ran again and made her own way, once to see a shipmate in Bluefields on the south coast of the island. Another time Thistlewood wrote that he "heard of my Coobah's robbing a Negroe Wench . . . in the wood, under the pretense of carrying her load for her, march'd away with it."[50] In *Slavery and Social Death: A Comparative Study*, Orlando Patterson explains that slave branding "backfired" in Brazil, where the letter *F* that branded a recaptured runaway was "proudly displayed" to the "more cautious but admiring fellow sufferers," marking its resignification as a mark of honor, not of capture.[51] Eventually Coobah was sold by Thistlewood for forty pounds and transported out of Jamaica to Savannah, Georgia, on May 21, 1774. Coobah's running away, despite the TT that marked her forehead and her right shoulder, and the countless others who repurposed the brand mark for social networking and used the scars that remained from the violence done to their bodies as a means to reestablish kinship ties or forge connections to shipmates with whom they shared the Middle Passage, reveal the limit of these acts of dehumanization.[52]

SELLING BLACKNESS

In another carte de visite of Wilson Chinn, taken by Kimball, Chinn is not staged wearing shackles or a longhorn around his neck; rather he stands boldly with one foot on top of the mechanisms of bondage laid in front of him on a wooden floor. The brand of the initials V. B. M. remains, however, revealing the spectacular punishment of plantation life. Kimball, along with another photographer, Charles Paxson, produced several images of emancipated or disowned ex-slaves, notably white-looking ex-slave children. These portraits were reproduced as carte de visite photographs and sold by Freedman's Relief Associations in support of their philanthropic efforts and circulated as a way to invoke fascination and compassion and to trouble their intended white audience. The fascination here is with the one-drop rule made collectible, as the children in the portraits were quantified as black under the racial nomenclature of slavery. These images trouble the large-scale sexual violence, coerced sex, rape, and the breeding system that underwrote slavery: *partus sequitur ventrem*, which codified into law in Virginia in 1662 that children born to enslaved women were the property of that mother's owner, regardless of whether the owner was kin. The compassion that was sought through these cartes de visite is that although named black, for the intended white audience, these children were seemingly white, or at least postslavery could enter into the category of whiteness through adoption, sponsorship, schooling, and certain ways of dress. *Wilson, Charley, Rebecca and Rosa, Slaves from New Orleans* (figure 3.2), a carte de visite produced by Paxson, features Chinn seated in a leather chair reading a book along with the ex-slave children who are doing the same and are seated around Chinn, with only Charley propped up in a way that allows him to share the same line of sight as Chinn, establishing for the viewer a certain equity between sixty-year-old Wilson Chinn and eight-year-old Charley Taylor. A *Harper's Weekly* article reporting on these ex-slaves makes this distinction, that being the color line, clear with its caption, "Emancipated Slaves, White and Colored."[53] Now collector's items, these pictures of ex-slaves are currently authenticated and then auctioned online with bids set anywhere from around $750 to $2,000.

Wilson Chinn marks the circulation of the nineteenth-century photographic archive of slave branding and, in some ways, the ex-slave carte de visite photographs, along with other slavery ephemera, are the contemporary instantiations of the auction block. These artifacts live on as heirlooms on the Internet. One such was Item #140035393839, a "BLACK AMERICANA ANTIQUE SLAVE Branding Iron 19TH c.," advertised for sale on eBay by seller ThE StRaNgEst ThINg in 2008 (figure 3.3). This item was described as "In Fantastic Condition" and of "RARE HISTORICAL Museum Quality" but with "some oxidation" and "protected from the elements by an old light coat of black paint," which the seller suggests should not affect the value of the piece. With its "unique design FORGED AT THE END to identify a particular slave," this instrument of torture was listed at a "Buy It Now" fixed price of $1,126.25, reduced from $1,325.00 with the advertised option of a 0 percent annual percentage rate until 2009, if purchased with a new eBay MasterCard. Seller ThE StRaNgEst ThINg also specified, "from what I have read and researched, each Slave was normally branded twice. Once in Africa when leaving their Country and once in the Americas upon their arrival" and said that the branding iron "can be purchased and then gifted to a Museum for display for all to SEE and LEARN from." Why this seller chose not to donate this "strange thing" to a museum rather than auctioning it on eBay is not mentioned in the description of the branding iron. I wonder

FIGURE 3.2. *Wilson, Charley, Rebecca and Rosa, Slaves from New Orleans.* Carte de visite (1864). Library of Congress Prints and Photographs Division, Washington, DC.

whether it is the thing itself that is strange, or the selling of this thing that was used to brand humans that is, in fact, strange—or, at least, should be made stranger than it already is.

The contemporary circulation of slavery-era branding tools and other so-called Black Americana for sale in online auction spaces is questioned and made strange with conceptual artists Mendi + Keith Obadike's *Blackness for Sale* (2001), an Internet art piece, or "Black.net.art," that saw Keith Obadike auctioning Item #1176601036—his Blackness—on eBay as a way to disrupt the trade in slave memorabilia and commodity kitsch on the Internet, and the commodification of blackness more generally.[54] This com-

FIGURE 3.3. Slave branding iron for sale on eBay in 2008.

modity kitsch is the formerly ubiquitous and everyday items of distorted blackness—namely kitchen utensils like mammy cookie jars and Uncle Mose sugar and creamer sets—that are now labeled "vintage," named "collectibles," and traded in a way that seemingly belies their original intent: commodity racism, that being to consume while at the same time alienating blackness.[55] Collecting and consuming blackness, and black people, whether kitsch or corporeal, forms part of the larger history continuing to the present of the ritualized practices and trauma of white supremacy, as the archive of lynching makes plain. After such extrajudicial killings and the ceremony that accompanied death, memorabilia would be taken, and oftentimes sold, as souvenirs: pieces of the victim's charred clothing, pictures and postcards (now made coffee table books), and mementos from the scene of the lynching including fingers, genitals, organs, and other dismembered parts and pieces of the victim.[56] The collection of such memorabilia was a way for members of the collective that partook in a lynch mob to depart the scene with something, or to own a part of someone, as a keepsake to remember their role as participant in acts of antiblack terrorism that served as a means of (re)constituting a community (or re-membering) through white supremacist violence.

Obadike's auction was scheduled to last for ten days but was deemed inappropriate by eBay, and after only four days Item #1176601036 (figures

3.4 and 3.5) was removed from the website. The opening bid was listed at $10.00 and the auction garnered twelve bids overall, the highest coming in at $152.50. With the "Location: Conceptual Landscape" but able to be shipped "to United States and the following regions: Canada," Obadike's Blackness is described as an "heirloom" that "has been in the possession of the Seller for twenty-eight years." This Blackness has been used primarily in the United States so "its functionality outside the US cannot be guaranteed." No pictures of Obadike accompany this item's description. Instead, potential buyers are provided with a list of "Benefits and Warnings" regarding Obadike's Blackness: "This Blackness may be used for instilling fear" and "this Blackness may be used for accessing some affirmative action benefits (Limited time offer. May already be prohibited in some areas)"; also, "the Seller does not recommend that this Blackness be used while voting in the United States or Florida," as well as not recommending "that this Blackness be used while demanding fairness." Or simply put: "The Seller does not recommend that this Blackness be used while demanding." The benefits and warnings listed disclose the surveillance of blackness while shopping, while seeking employment, or during legal proceedings.

In an interview with Coco Fusco, Keith Obadike provides some insight as to why *Blackness for Sale* was a necessary counterframing to concurrent net.art in that it critiqued the commodification of blackness and the ways that colonial narratives are reproduced through Internet interfaces: "While watching what many were doing with net.art, I didn't really see net artists dealing with this intersection of commerce and race. I really wanted to comment on this odd Euro colonialist narrative that exists on the web and black peoples' position within that narrative. I mean, there are browsers called Explorer and Navigator that take you to explore the Amazon or trade in the ebay. It's all just too blatant to ignore."[57]

Mendi + Keith Obadike's Internet art project (or "auctionism") is one of black counterframing where the institutionalized and the everyday surveillance, appropriation, and negation of black life is satirized as a way to highlight its structural embeddedness and the pervasive nature of that very surveillance. Auctionism is a type of Internet art that, as Alexander R. Galloway describes, is a form of "social exchange" that "unravels the limitations of the network" as the performance is not only on eBay but also on the e-mail lists, message boards, and other social spaces of the Internet that drive traffic to the piece and discussion of it.[58] In the case of *Blackness for Sale*, an announcement of the auction was posted to the Internet-based

FIGURES 3.4 AND 3.5. Mendi + Keith Obadike, *Blackness for Sale* (2001). Courtesy of the artists.

arts organization Rhizome, while blackplanet.com ran a poll where "26% thought the project was brilliant, 29% found it offensive," while 45 percent thought Obadike had too much time on his hands.[59] *Blackness for Sale* is auctionism that explores a black antiracist counterframing. As Feagin explains, black antiracist counterframing provides a "counter system analysis" of "how, where, and when white hostility and discrimination operate interpersonally, as well as in society generally."[60] *Blackness for Sale*, then, points to the productive possibilities of black expressive practices and, perhaps satirically, to the apparent limits of black antiracist counterframing, or as Mendi + Keith Obadike put it: "This Blackness may be used for writing critical essays or scholarship about other blacks" and "the Seller does not recommend that this Blackness be used while making intellectual claims."

Branding Biometrics

> Information machines are the sole means of vision in digital visual culture, but as the body itself becomes socially defined and handled as information, there is even more at stake in paying attention to the incursions of machines in everyday life and the forms of resistance available to us.
>
> —LISA NAKAMURA, *Digitizing Race: Visual Cultures of the Internet*

Paul Gilroy observes that where previously the idea of race was produced as that which is anatomical, where a certain and essential truth was said to be written on the body, scopic and microscopic regimes of seeing (for example, genomics, ultrasonography, neuroimaging, computed tomography) are laying bare the previously unseen at increasingly intimate scales.[61] The highly mediated production of racial discourse through scientific method that relied on cultural production, representation, myth, and colonial project making and where the intention was "to make the mute body disclose the truth of its racial identities" has been augmented by technologies of seeing that have the minute as their focus. Gilroy suggests that "the observational habits that have been associated with the consolidation of today's nano-science might also facilitate the development of an emphatically postracial humanism."[62] My intervention here is not meant to negate this potentially progressive moment that Gilroy alerts us to, but to claim that unlike the technological advances of, say, ultrasonography and other body imaging technologies, with certain biometric information technologies and

their attendant "observational habits" this potentially postracial humanism is elided. Instead, with biometrics it is the moments of observation, calibration, and application that sometimes reveal themselves as racializing.

If, as Gilroy suggests, the pseudoscientific enterprise of truth seeking in racial difference can be more fully comprehended through the Fanonian concept of epidermalization,[63] how can epidermalization, as a concept, be made useful at a scale of the body made biometric? I suggest here that we come to think of the concept of digital epidermalization when we consider what happens when certain bodies are rendered as digitized code, or at least when attempts are made to render some bodies as digitized code. By digitized code I am referring to the possibilities of identification that are said to come with certain biometric information technologies, where algorithms are the computational means through which the body, or more specifically parts, pieces, and, increasingly, performances of the body are mathematically coded as data, making for unique templates for computers to then sort by relying on a searchable database (online or one-to-many/1:*N* identification/answering the questions: Who are you? Are you even enrolled in this database?), or to verify the identity of the bearer of the document within which the unique biometric is encoded (offline or one-to-one/1:1 verification/answering the question: Are you who you say you are?). Popular biometric technologies include facial recognition, iris and retinal scans, hand geometry, fingerprint templates, vascular patterns, gait and other kinesthetic recognition, and, increasingly, DNA. Biometric technology is also used for automation (one-to-none/answering the question: Is any body there?), for example with computer webcams that make use of motion-tracking software or touchless faucets, toilets, and hand dryers that employ infrared or capacitive sensing to detect a user's presence and gestures. In the case of those technologies, it is not for recognition or verification of a user's identity that the biometric is put to use, but rather for an acknowledgment of the user's presence or an awareness that someone, or at least a part of someone, is there, ideally.

In simple terms, biometrics is a technology of measuring the living body. The application of this technology is in the verification, identification, and automation practices that enable the body to function as evidence. Identities, in these digitizing instances, must also be thought through their construction within discourse, understood, following Hall, as "produced in specific historical and institutional sites within specific discursive formations and practices, by specific enunciative strategies."[64] The notion of

a body made out of place, or made ontologically insecure, is useful when thinking through the moments of contact enacted at the institutional sites of international border crossings and spaces of the internal borders of the state, such as the voting booth, the welfare office, the prison, and other sites and moments where identification, and increasingly biometric information, is required to speak the truth of and for muted bodies. These sites and moments are productive of, and often necessitate, ontological insecurity, where "all around the body reigns an atmosphere of certain uncertainty."[65] This atmosphere of certain uncertainty is part of what Lewis Gordon refers to as "the problematic of a denied subjectivity."[66] On this, Gordon is worth quoting at length:

> Fanon's insight, shared by DuBois, is that there is no inner subjectivity, where there is no being, where there is *no one there*, and where there is no link to another subjectivity as ward, as guardian, or owner, then *all is permitted*. Since *in fact* there is an Other human being in the denied relationship, evidenced by, say, antiblack racism, what this means is that there is a subjectivity that is experiencing a world in which all is permitted against him or her.[67]

For Gordon, this problematic of a denied subjectivity is a structured violence where "all is permitted" and where this structured violence is productive of and produced by a certain white normativity, meaning that whiteness is made normative and, in so being, raceless, or what Goldberg terms "racially invisible."[68] What Gordon insightfully calls the "notion of white prototypicality" is the enabling condition of the structured violence of "the dialectics of recognition."[69] This prototypical whiteness is one facet of the cultural and technological logic that informs many instances of the practices of biometrics and the visual economy of recognition and verification that accompanies these practices. Digital epidermalization is the exercise of power cast by the disembodied gaze of certain surveillance technologies (for example, identity card readers and e-passport verification machines) that can be employed to do the work of alienating the subject by producing a truth about the racial body and one's identity (or identities) despite the subject's claims.

To understand the practices of prototypical whiteness (as well as prototypical maleness, youth, and able-bodiedness) and the ways that biometric information technologies are sometimes inscribed in racializing schemas that see particular biometric systems privileging whiteness, or lightness, in

the ways in which certain bodies are measured for enrollment, I turn now to some findings appearing in publications in biometrics R&D. These publications tell of industry concerns and specifications, and they also tell us something about what kinds of bodies these technologies are designed to suit best. One such study examined how face detection technology could be employed in a "multiethnic environment" to classify facial features by race and gender.[70] A technology like this could be applied, for example, in shopping malls, casinos, or amusement parks or for photo tagging applications similar to that used by Facebook for what that social networking service calls photo summary information or, in other words, facial recognition technology. This technology is employed to match uploaded photographs to a specific user's profile.[71] The authors of this study found that when programmed generically for "all ethnicities," their gender classification system "is inclined to classify Africans as males and Mongoloid as females."[72] So black women are presumably male, and Asian men are classified as female, in this way mirroring earlier pseudo-scientific racist and sexist discourse that sought to define racial and gendered categories and order humans in a linear fashion to regulate those artificial boundaries that could never be fully maintained (e.g., mustard seed–filled skulls in *Crania Americana*, polygenism and the ranking of races by way of recapitulation, black woman as surrogate man, the desexualized Asian man, diagnoses of the slave's desire for freedom as the so-called sickness of the runaway named drapetomania, and Nott and Gliddon's *Types of Mankind*).[73] Interestingly, when their gender classifier was made "ethnicity specific" for the category "African," they found that images of African females would be classified as female about 82 percent of the time, while the same African classifier would find images of "Mongoloid" females to be female 95.5 percent of the time, and 96 percent for "Caucasoid" females. In other words, even when calibrated to detect black women, the African classifier is better suited to detect "Mongoloid" females and "Caucasoid" females.

Using actor Will Smith's face as the model of generic black masculinity (figure 3.6), Gao and Ai, the study's authors, are left to conclude that "the accuracy of gender classifier on Africans is not as high as on Mongoloid and Caucasoid."[74] The racial nomenclature of "Mongoloid" and "Caucasoid" is seemingly archaic but not uncommon in certain biometrics R&D. It is worth noting here that, as a different study put it, the "statistical knowledge of anthropometry" is still being invoked in biometric information technology R&D.[75] For instance, in one study, authors Li, Zhou, and Geng argue

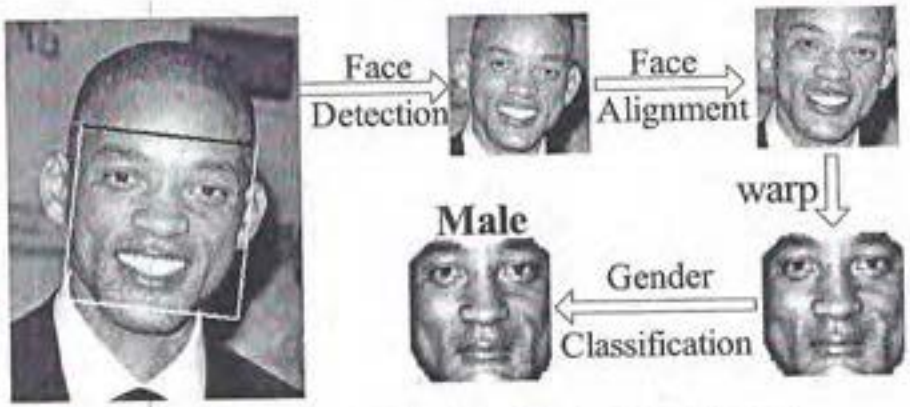


FIGURE 3.6. "Face Gender Classification Flowchart," from Gao and Ai, "Face Gender Classification on Consumer Images in a Multiethnic Environment." A face detection algorithm is first applied to a photo of Will Smith. Then, eighty-eight facial feature points are mapped out and used for face texture normalization and gender classification. Courtesy of Haizhou Ai and with kind permission from Springer Science and Business Media.

that "the difference of Races is obvious, and it is the core field of research of anthropology. Anthropometry is a key technique to find out this difference and abstract the regulation from this difference."[76] Anthropometry, or Bertillonage, was introduced in 1883 by Alphonse Bertillon as a system of measuring and then cataloguing the human body by distinguishing one individual from another for the purposes of identification, classification, and criminal forensics. This early biometric information technology was put to work as a "scientific method," alongside the pseudo-sciences of craniometry (the measurement of the skull to assign criminality and intelligence to race and gender) and phrenology (attributing mental abilities to the shape of the skull, as the skull was believed to hold a brain made up of individual organs). First developed by taking the measurements of prisoners and repeat offenders, Bertillonage made use of a series of measurements of the head, torso, and limbs gathered through a choreographed routine where the subject would sit, stand, and stretch out limbs, including measuring the length of the head, the right ear, and the left foot. Later, Bertillonage included descriptions of other markers of identification, such as eye color and scars.[77] With Li, Zhou, and Geng's study quoted above, we can see that pseudo-scientific discourse of racial difference forms the theoretical basis from which to develop a facial computational model that could qualify

(and mathematically quantify) difference to allow for identity authentification. Li, Zhou, and Geng claim that "as a result of using the statistical information of the Mongolian Race's feature, our method is suitable to be used in the north of China."[78] Claims such as these demonstrate that some advances in biometric information technology are organized around the idea of digital epidermalization.

Epidermalization—the imposition of race on the body—is present, for example, when Nanavati, Thieme, and Nanavati note that in comparative testing of biometric systems and devices using control groups, higher fail-to-enroll (FTE) rates appear with those whose fingerprints are said to be unmeasurable. They state, "Elderly users often have very faint fingerprints and may have poorer circulation than younger users. Construction workers and artisans are more likely to have highly worn fingerprints, to the point where ridges are nearly nonexistent. Users of Pacific Rim/Asian descent may have faint fingerprint ridges—*especially female users*."[79] Unmeasurable fingerprints are often those of the elderly and people who come in contact with caustic chemicals and frequent hand washing in their work environments, such as mechanics, health care workers, and nail salon technicians or manicurists. Some massage therapists also fail to enroll due to occupational wear of their fingerprints. This unmeasurability forms part of what Torin Monahan calls "body discrimination" in technology design, where "unequal power relations are reproduced and reinforced by technological means."[80] Could these systems, then, be calibrated to allow for cutaneous gender detection, or for class differentiation? Or could they be programmed to allow for the "digital segregation of racialized population groups," as Joseph Pugliese suggests?[81] In this same study, Nanavati, Thieme, and Nanavati note that facial scan technology may produce higher FTE rates for "very dark-skinned users," not due to "lack of distinctive features, of course, but to the quality of images provided to the facial-scan system by video cameras optimized for lighter-skinned users."[82] What their research and development tell us is that their technology privileges whiteness, or at least lightness, in its use of lighting and in the ways in which certain bodies are lit and measured in the enrollment process.

Prototypical whiteness in biometrics is an extension of the "general culture of light" that Richard Dyer lays out regarding photography, film, and art.[83] This is a culture in which, as Dyer asserts, "white people are central to it to the extent that they come to seem to have a special relationship to light."[84] The logic of prototypical whiteness is seemingly present in ear-

lier models of iris-scanning technology that were based on 8-bit grayscale image capture, allowing for 256 shades of gray but leaving very dark irises "clustered at one end of the spectrum."[85] The distribution of this spectrum's 256 shades of gray is made possible only through the unambiguous black-white binary; the contrapuntal extremes that anchor the spectrum, leaving the unmeasurable dark matter clustered at one end. Prototypical whiteness cannot be understood without the dark matter that gets clustered at one end of the spectrum, without those bodies and body parts that fail to enroll.[86] Such epidermal thinking is present in other research on facial recognition technology that found that when "the facial feature quantities (spacing between eyes, turn up of the eyes, thickness of mouth etc.) are classified," it is possible that these systems "can search for faces with a certain feature, if the degree of the feature quantity is designated."[87] Here the possibilities for racializing surveillance are revealed. This is especially so when facial recognition technology is calibrated to cull matches only from within specified racial and gendered groupings, leading to high FTE rates for some groupings, as discussed earlier. The application of surveillance technologies in this way leads to questions concerning the idea that gender and race can be specified, and also how and if nonbinary, gender nonconforming, mixed-race, intersexed, or trans people fit into this algorithmic equation. They are unaccounted for in the algorithm that is set to fix race and gender.

As the above R&D reports make clear, there is a certain assumption with these technologies that categories of gender identity and race are clear cut, that a machine can be programmed to assign gender categories or determine what bodies and body parts should signify.[88] Such technologies can then possibly be applied to determine who has access to movement and stability, and to other rights. I take up this possibility in chapter 4 through a discussion of the airport and DNA technology. Following Anne Balsamo here, I am suggesting that we must question the effects that certain technologies (in this case, biometric information technologies) have on "cultural enactments of gender" and of race; we must uncover how such technologies are "ideologically shaped by the operation of gender" and seek to understand the role they play in racializing surveillance and in reinforcing "traditional gendered patterns of power and authority."[89]

Given this, some important questions to ask here include: How do we understand the body once it is made into data? What are the underlying assumptions with surveillance technologies, such as passport verification machines, facial recognition software, or fingerprint template technology?

There is a notion that these technologies are infallible and objective an
have a mathematical precision, without error or bias on the part of the com
puter programmers who calibrate the search parameters of these machine
or on the part of those who read these templates to make decisions, suc
as the decision in 2004 in which U.S. citizen Brandon Mayfield was wrong
fully determined to be involved with the Madrid, Spain, train bombing
based on a latent fingerprint.[90] Mayfield had served in the U.S. Army and
a Muslim, having converted to Islam shortly after marrying his Egyptian
born wife in 1986. He is a lawyer and did not hold a valid U.S. passport
the time of the synchronized bombings on four commuter trains that kille
191 people and wounded and maimed many others on May 11, 2004. A la
tent fingerprint was found on a bag containing detonator devices that wa
recovered by Spanish authorities from a vehicle that was parked at a trai
station. The FBI matched this latent fingerprint with Mayfield's. It was late
revealed that Mayfield's print was one of twenty possible matches, but tha
additional biographical information was used by the FBI to bolster the cas
to detain Mayfield as a material witness. His military training, his religion
and the fact that he did not have a valid passport rendered him under th
category of the "credible enemy," the rationale being that Mayfield woul
have to have traveled using a counterfeit passport to commit the commute
train bombings. I borrow the term "credible enemy" from Ursula Franklin
discussion of the task of the state in the "real world of technology," where
as she says, "the state has to guarantee the on-going, long term presenc
of a credible enemy, because only a credible enemy justifies the massiv
outlay of public funds" for arms productions and securitization.[91] Accord
ing to Franklin, the credible enemy must be "cunning, threatening and jus
barely beatable by truly ingenious and heroic technologies" and, impor
tantly, Franklin warns, there is historical precedent of the state's war ma
chine turning inward and "seeking the enemy within."[92] Think here of thi
act of seeking the enemy within as signaled by the term "home-grown ter
rorists." Mayfield was held for nineteen days and released only after Spanis
authorities announced that they had arrested someone else.

Although verification machines now do the work of sorting the beare
of identity documents, these machines are designed and operated by rea
people to sort real people. It is through the human aspects of this proces
of sorting that the digitized, biometric body is brought into view. Throug
this process of visualizing and sorting, the digitized body and in effect it
material, human counterpart could be epidermalized. My intent here is no

in defense of "race-thinking,"[93] nor is it an effort to reontologize race, but to situate certain biometric information technologies as techniques through which the cultural production of race can be understood. Following scholar Eugene Thacker's call for a "critical genomic consciousness" in relation to biotechnology,[94] I am suggesting here that we must also engage a critical biometric consciousness. Such a consciousness entails informed public debate around these technologies and their application, and accountability by the state and the private sector, where the ownership of and access to one's own body data and other intellectual property that is generated from one's body data must be understood as a right. A critical biometric consciousness must also factor in the effects of the supply chain, production, and disposal of the hardware of these technologies, whether that be the mining of conflict minerals, like coltan, or where the assembly of the devices is tied to sweatshop labor.[95] A critical biometric consciousness could be engendered by the type of learning that takes places with, for example, the Keeper of Keys machine (KK) developed by Marc Böhlen (aka RealTechSupport) in the context of the Open Biometrics Initiative (figure 3.7). The Open Biometrics Initiative argues:

> Formerly a domain reserved for human forensics experts, minutiae extraction can now be translated into executable computer code. In the machine, both minutiae map and minutiae matching are found within degrees of error and translated into probabilities. However, the results of these mathematical operations generate information that is valid within certain limits and under certain assumptions. The rules of probability theory ensure that the assumptions are computationally tractable. Error is translated into a fraction of unity.[96]

The "Open Biometrics idea," as Böhlen names it, understands all body data as probabilistic.[97] By taking seriously the idea that identification and verification of fingerprint biometric data through computational means relies on probability—that a match is more akin to an approximation than a confirmation—the Open Biometrics Initiative designed the KK to subvert the notion that biometric identification technology is infallible. The KK is "designed to re-imagine, beyond the confines of security and repression, notions of machinic identity control and biometric validation."[98]

The KK is a fingerprint analysis application that takes an image of the user's fingerprint. Rather than reducing this fingerprint data to a representative subset, the results of the finger scan that the KK provides is a "mathematically precise but open list of probable results" allowing "the user insight into the internals of an otherwise hidden process."[99] This information is printed out for the user as a set of minutiae or characteristic points and probabilities, what the Open Biometrics Initiative calls a "probabilistic IDcard" (figure 3.8) that details "all characteristic points of a finger scan together with class (ridge ending or bifurcation) and most importantly likelihood" rather than assigning some infallibility to the data.[100] In this way, the probabilistic IDcard identifies characteristic points of the user's fingerprint that could come under dispute by a fingerprint examiner using standard finger scan technology. The user's fingerprint data is not retained by the KK. In this way, the user's digitized body data remains the property of the user, not that of state actors or a private organization or some other governmental body. Given this, the KK is a way of critiquing the idea that the state, the private sector, or other nongovernmental institutions should hold biometric information about users that users themselves cannot hold or

FIGURE 3.7. The Keeper of Keys Machine. Courtesy of Marc Böhlen (aka RealTechSupport).

FIGURE 3.8. Keeper of Keys Certified Good Scan. Courtesy of Marc Böhlen (aka RealTechSupport).

even have access to. As well, it forces us to ask: if you would not surrender your biometric data to a machine like the KK that provides some transparency regarding the data capture process, then why would you surrender such data at a bank or at a border or to your employer or your iPhone, often without user agreements or questions about how the data will be stored or transmitted, what it will be used for, or whether or not it will be shared, sold, rented, or traded? These are some of the questions that should inform a critical biometric consciousness.

Importantly, a critical biometric consciousness must acknowledge the connections between contemporary biometric information technologies and their historical antecedents. Meaning here that this critical biometric consciousness must contend with the ways that branding, particularly within racial slavery, was instituted as a means of population management that rendered whiteness prototypical through its making, marking, and marketing of blackness as visible and as commodity. As well, it must contend with the ways in which branding was a form of punishment and racial profiling (every body branded SOCIETY, or *F* for fugitive—or perhaps that *F* stood for freedom, and *R* for revolt rather than runaway). As demonstrated above, much of how biometrics are described in recent R&D derives from the racial thinking and assumptions around gender that were used to falsify evolutionary trajectories and rationalize the violence of transatlantic slavery, colonialism, and imperialism. The absence of a nuanced discussion of how such racial thinking shapes the research and development of contemporary biometric information technology is itself constitutive of power relations existing in that very technology, where the idea of blackness is invoked (think actor Will Smith) to reproduce power relations, even sometimes in the physical absence of actual black people.

Blackness *B®anded*

I want to return to Will Smith for a moment to question what his image is doing in a biometric technology industry publication on new research and development. What kind of work is his picture doing here? Smith is the star of at least three Hollywood blockbuster action movies in which surveillance technology plays a role: *Enemy of the State* (1998), *I, Robot* (2004), and to a lesser extent *Men in Black* (1997). Seeing how surveillance is displayed, discussed, and depicted in and through Smith's films is important for an understanding of the various ways that contemporary surveillance technologies, from CCTV to unmanned aerial vehicles (UAVs or drones) to facial recognition technology, are marketed through popular entertainment. *I, Robot* is set in Chicago in the year 2035, where robotic workers, seemingly replicas of each other, act as servants (sometimes referred to in the film as slaves), are stored in stacked shipping containers when decommissioned, and eventually plot a nationwide revolt and imprison their human owners. We learn that Smith's character, police detective Del Spooner, was injured in a car accident and became an involuntary subject in a cybernetics program for wounded police officers. This left him with a prosthetic left arm built by the same company that created the robot servants, U.S. Robotics. Spooner uses biometric information technology, namely hand geometry access and voice pattern recognition, in the film, but he is antirobot. As the *New York Times*' film critic A. O. Scott put it: Spooner is "a raging anti-robot bigot, harboring a grudge against the helpful, polite machines that shuffle around the city running errands and doing menial work."[101] According to Scott, Spooner's grudge causes him to commit "technological profiling," revealing the film's "undercurrent of racial irony."[102] Seemingly a commentary on the dystopic potential of unregulated androids or a comment on enslavement, perhaps *I, Robot* animates concerns around such imaginings of artificial intelligence. In *I, Robot*, biometric information technology is a mere backdrop to a slave revolt; a palm scanner here, some voice

recognition there. In this way, *I, Robot* depicts a society where biometrics are integrated into the everyday for the purposes of identification, verification, automation, and convenience.

In the comedy *Men in Black*, however, biometrics is that which can tether one to a fixed identity. Smith's character in *Men in Black*, James Darrell Edwards III, has his dental records, Social Security number, and even his Gold's Gym membership deleted from various databases, and his fingerprints are permanently erased from his body, leaving him without identifying marks and documents, rendering him anonymous. He becomes simply Agent J of the secret agency Men in Black (MIB). During this process of anonymization, a voice-over tells viewers of the film,

> You'll dress only in attire specially sanctioned by MIB Special Services. You'll conform to the identity we give you, eat where we tell you, live where we tell you. From now on you will have no identifying marks of any kind. You'll not stand out in any way. Your entire image is crafted to leave no lasting memory with anyone you encounter. You are a rumor, recognizable only as déjà vu and dismissed just as quickly. You don't exist. You were never even born. Anonymity is your name. Silence, your native tongue. You are no longer part of "the system." You are above "the system." Over it. Beyond it. We're "them." We're "they." We are the Men in Black.

This scene from *Men in Black* offers its viewers an understanding of the reach of the surveillance state, where documents and identifying marks are stored in interconnected databases. In this fictional world where "aliens" are among us, everyone is watched and our transactions are monitored. *Enemy of the State* is a panoply of surveillance. Set in Washington, DC, the film's plot revolves around Smith as labor attorney Robert Clayton Dean as he gets caught up with the National Security Agency (NSA), an assassination plot, and pending legislation that would increase domestic spying capabilities by way of a "Telecommunication, Security and Privacy Act," a bill that, as one character puts it, "is not the first step to the surveillance society, it *is* the surveillance society."[103] Throughout the film, Dean, and by extension the viewing audience, is given a primer on pre-9/11 surveillance technologies, their histories and capabilities, and the reach of the NSA by retired NSA agent Edward "Brill" Lyle, played by Gene Hackman, as both Brill and Dean become targets of the NSA.[104] In one scene Brill tells Dean, "Every wire, every airwave. The more technology you use, the easier it is

for them to keep tabs on you. A brave new world out there. At least it better be." Thus, surveillance is wielded in a rather conspiratorial manner against Dean and Brill: facial recognition and fingerprint template technology, GPS tracking, databases, CCTV feeds, audio surveillance, beacon transmitters, satellite imagery, and even ominous black helicopters hover above them. It could be argued that in *Enemy of the State* surveillance technologies operate by way of product placement and that through such brand integration—to use ad industry terms—the film's viewers come to understand surveillance technologies. Fictional narratives such as *Enemy of the State*, and also television programming, shape public conceptions of surveillance technologies and are one of the ways that the public comes to develop a popular biometric consciousness. David Lyon argues that what such a display of technology does is suggest that the mere "presence of high technology speaks for itself, somehow guaranteeing its own effectiveness."[105] Lyon names this an apparent "sociological shallowness" of *Enemy of the State*, but also notes that this attitude is significant "especially in the American context where belief in the efficacy of technological 'solutions' far outstrips any evidence that technical devices can be relied upon to provide 'security.'"[106]

Enemy of the State closes with Dean and Brill turning the tables on the NSA agents and analysts that have tracked them throughout the film. Answering Jeremy Bentham's question of "quis custodiet ipsos custodes?" (who watches the watchers?), Dean and Brill surveil their surveillers; they watch the watchers. In this way, the film offers a "neutrality thesis" regarding surveillance technology which suggests that if placed in the right hands surveillance loses its negative valence and it need not be feared or a cause for worry.[107] However, these "right hands," in this case, are gendered in a particular way. As Balsamo argues in her discussion of "the dominant myth of gender and technology," such depictions ultimately leave intact dominant representations of men as the "idealized and most important agents of technological development."[108] Popular culture representations of surveillance are some of the ways that the public comes to know these technologies and also how ideas about certain technologies as necessary surveillance and security measures get rationalized and sold to the general public. In other words, "our experience of surveillance is itself shaped by popular culture."[109] As a pitchman, it does not get much better than Will Smith, whom *Forbes* magazine named as the highest-paid actor for 2008. Interestingly, when promoting *I, Robot* in 2004, Smith was asked by the German press about some earlier comments that were attributed to him, in which

Smith reportedly claimed that he could one day hold the office of president of the United States. Smith replied that he envisioned the possibility of a black president, suggesting that a "young black man from Chicago, Barack Obama," would probably run for that office sooner or later. Asked about the effects of the 9/11 terrorist attacks, Smith reportedly answered,

> If you grow up as a black person in America, you get a completely different view of the world than white Americans. We blacks live with a constant feeling of discomfort. Whether you're attacked and wounded by a racist cop or attacked by terrorists, excuse me, it makes no difference. In the sixties, blacks were continuously the target of terrorist attacks. Although it was domestic terrorism, terrorism is terrorism. We are used to being attacked. As for a permanent alert, a defensive attitude with which one lives anyway—it has not changed since. No, for me personally, as to my everyday life, the tragedy of September 11 changed nothing. I live always a hundred percent alert. I was not even nervous, anxious, or cautious after 9/11.[110]

Articulating here the racial terror imposed on black life in America by an overseeing surveillance apparatus in effect on September 10, 2001, and long before, Smith received criticism for his comments, and some called for a boycott of his films. *I, Robot* grossed over $345 million in box office sales that year.

Many criticize Smith for playing only "safe" roles, and although a "bad boy" (he played Detective Mike Lowrey in the 1995 film *Bad Boys* and the 2003 sequel), he has never really portrayed a "bad guy." Being a star of blockbuster films means that the movie-watching audience is constantly subjected to Smith's always heroic exploits, particularly for films that are in syndication on network television. So these lessons on surveillance technologies and practices are regularly broadcast in which Smith is often seen saving America, and by extension the planet, from alien Others (*Independence Day*, the *Men in Black* franchise, *Wild Wild West*, *I Am Legend*, *Hancock*, *I, Robot*, and *After Earth*), or cast in some policing role (the *Bad Boys* franchise). It should not go without notice here that the image of the prototypical white man featured in Gao and Ai's article on their biometric gender classification system is that of Tom Cruise, the star of *Minority Report* and the *Mission Impossible* franchise, standing alongside his then-wife Katie Holmes (figure 3.9). Biometric information technology play an important yet commonplace role in those films. For example, one scene

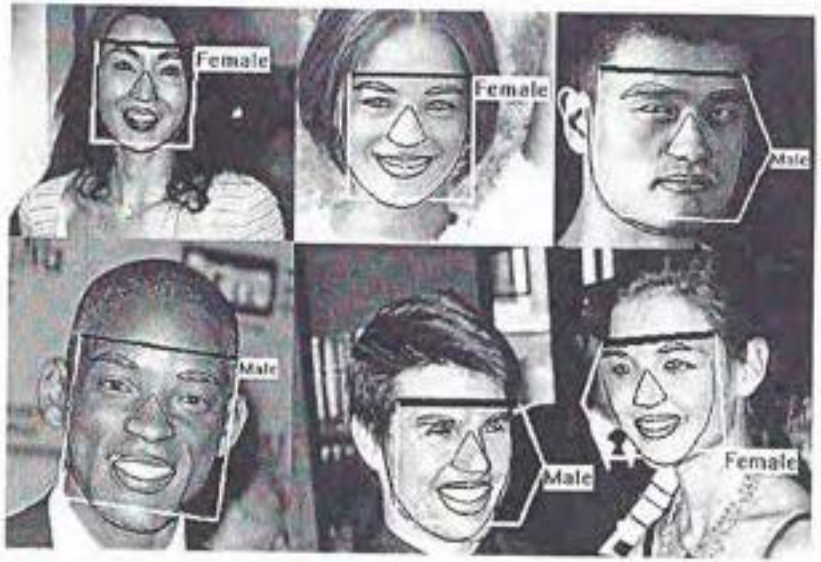


FIGURE 3.9. Photos of Will Smith, Tom Cruise, and Katie Holmes among facial images classified by gender using biometric analysis. From Gao and Ai, "Face Gender Classification on Consumer Images in a Multiethnic Environment." Courtesy of Haizhou Ai and with kind permission from Springer Science and Business Media.

in *Mission: Impossible—Ghost Protocol* (2011) features a contact "lens cam" that when worn is capable of drawing a match from faces scanned in a crowd and could then trigger an alert to an iPhone of a match of a possible target for assassination. Such product placement was not so far off at the time of that film's release. In 2013, Google filed patent applications with the U.S. Patent and Trademark Office for contact lenses that integrate cameras and other sensors. This patent-pending lens cam could capture and record images when the wearer uses a specific blink pattern, or could use motion detection to alert blind wearers to oncoming vehicles at crosswalks.[111] The "social optics of race" in *Minority Report* has been theorized by Lisa Nakamura, who argues that in that film, "the act of seeing itself has become inseparable from the political economies of race, retailing, crime and surveillance."[112] So commerce, in *Minority Report*, is readily enabled by technologies of surveillance (like retinal scans) that link identity, and by extension race, to product placement and marketing.

Priceless #1 (2004) is part of Hank Willis Thomas's *B®anded* series, in which the artist questions "how black bodies were branded as a sign of

ownership during slavery, and how their descendants' bodies are branded today through corporate advertising."[113] As such, the meaning of branding for Thomas is not only about the violence inflicted on black skin, but also about how blackness brands certain consumable goods. The series is part of Thomas's creative response to the fatal shooting of his twenty-seven-year-old cousin Songha Willis during a mugging for a gold chain in Philadelphia that took place in February 2000. *Priceless #1* (figure 3.10) is a photograph of mourners at Songha Willis's funeral with the MasterCard logo superimposed on the bottom left corner. When MasterCard financial services first began running its trademarked Priceless campaign in 1997, each commercial spot would list the price for different products or services and would end with that one unfigurable thing that no amount of money could buy ("the way music makes you feel: priceless") and a voice-over of the slogan "there are some things money can't buy; for everything else there's MasterCard." With Thomas's *Priceless #1*, the phrases "3-piece suit: $250," "gold chain: $400," "new socks: $2," "9mm Pistol: $80," and "Bullet: ¢60" are overlaid on the image of this moment of trauma along with a play on the MasterCard tagline: "Picking the perfect casket for your son: priceless." The words "Pistol," "Bullet," and "Picking" are the only ones that are capitalized in this image, signaling the link between the labor of slavery (picking cotton) and its violent aftermath (firearm-related homicide), and the ways in which black death is capitalized upon (picking caskets). Debt (reparations for slavery, credit card debt) underwrites Thomas's remaking of MasterCard's Priceless campaign. With *B®anded* comes Thomas's interrogation of advertising and the commodification of blackness, urban violence, and the transatlantic slave trade. In its appropriation of the signs and language of the popular MasterCard campaign, *Priceless #1* instead gives us an image of a community in grief, one that is replayed and recounted over and over again as young black men ages twenty to twenty-four and twenty-five to twenty-nine formed the groups with the highest and second-highest homicide victim rates in the United States in 2013.[114] Thus *Priceless #1* is a mash-up of premature death, grief, black city life, and commodity packaging.[115]

The brand logos of the National Basketball Association, outdoor wear manufacturer Timberland, Johnnie Walker scotch, American Express credit services, and others are remade in Thomas's *B®anded* series, which sees both the stowage plan of the slave ship *Brooks* and the Door of No Return as mash-ups with the Absolut Vodka campaign. By "mash-ups," what I

FIGURE 3.10. Hank Willis Thomas, *Priceless #1* (2004). Lambda photograph. Dimensions variable. Courtesy of the artist and Jack Shainman Gallery, New York.

mean here is that these photographs combine brand logos with the difficult archive of transatlantic slavery to create new meanings and commentary other than what the original commodity packaging was meant to signify. For example, the Absolut Vodka bottle peopled with tiny figures in planked position similar to the stowage plan of the slave ship *Brooks* in *Absolut Power* (2003), or shaped into a door frame with the view from the Door of No Return on Gorée Island in *Absolut No Return* (2010). Priceless. When asked about the intent behind his *B®anded* series, Thomas has said that he was "interested in the way that black men are the most feared and revered bodies in the world in this weird way" and that he was "trying to figure out why that was and what that was about, and the relationship to slavery and commodity, which is commerce, culture, cotton, and that body type."[116] With this series we see Thomas uncover the moments in advertising when blackness is pitched "as a way to cash in on street cool or urban icon."[117] One such icon of street cool is Nike's brand logo known as the Swoosh that

adorns the company's shoes, clothes, and other sporting apparel. In the *B®anded* series, however, the Swoosh is instead branded on the male black body, first as a large scar on the side of a bald head in *Branded Head* (2003), and also in a series of nine raised keloid-appearing scars on the upper torso in *Scarred Chest* (2004). *Branded Head* gives viewers a profile view, but the image is cropped in such a way that we do not see the face of the branded subject, while *Scarred Chest* is cropped at the neck and the genitals. Keloid scars have been known to grow, itch, and remain painful posthealing, and are said to occur more often within black populations. *Branded Head* and *Scarred Chest* are photographic reckonings with the trauma of racial injury, traumatic head injuries, raised keloid scars that grow beyond the boundary of the seemingly healed original wound, commercial branding, and the power of advertising to crop and frame the black body, and the power of the artist to counterframe.[118]

In 2004 *Branded Head* was part of the public space art installation *Jamaica Flux: Workspaces and Windows* and was placed in the ad space adjacent to a telephone booth at the corner of Union Hall Street and Jamaica Avenue in Queens, New York (figure 3.11). The telephone booth was neatly embedded in this site of commerce as it sits directly in front of a Chase Bank and was located close to a food vending cart in this busy shopping district. JPMorgan Chase, the parent company of Chase Bank, is "one of the oldest financial institutions in the United States. With a history dating back over 200 years," according to its website.[119] The Merchant Bank and the Leather Manufacturers Bank both merged in the 1920s with what would later become Chase Bank, and they both had provided insurance policies on the lives of enslaved laborers.[120] On a nearby building at the time of this installation was a billboard ad for Nike footwear featuring National Football League (NFL) quarterback Michael Vick, then signed to the Atlanta Falcons.[121] The tagline of the ad was "to fly, your head must reach the . . . Air Zoom Vick II." The NFL suspended Vick in 2007 for violating its player conduct policy due to his involvement in unlawful dogfighting and gambling. Criminal charges led to the loss of Vick's lucrative Nike endorsement contract and an eventual conviction, followed by a twenty-month incarceration, with house arrest by way of an electronic ankle monitor and travel restrictions imposed after his release from prison. Vick signed with the Philadelphia Eagles in 2009 and was named 2010 NFL Comeback Player of the Year. Nike re-signed Vick in 2011, stating that it supports Vick's efforts

FIGURE 3.11. Hank Willis Thomas, *Branded Head* (2003). Installation view at 125th Street, Harlem, NY. Lambda photograph. Dimensions variable. Courtesy of the artist and Jack Shainman Gallery, New York.

at reforming his public image. This re-signing, then, marks Vick's rebranding; the first professional athlete in the United States to lose and then regain a major endorsement deal.[122]

Conclusion

This chapter began by offering a longer history of biometric information technology and the ways that this history is in close alignment with the commodification of blackness. Current biometric technologies and slave branding, of course, are not one and the same; however, when we think of our contemporary moment when "suspect" citizens, trusted travelers, prisoners, welfare recipients, and others are having their bodies informationalized by way of biometric surveillance, sometimes voluntarily and sometimes without consent or awareness, and then stored in large-scale, automated databases, some managed by the state and some owned by private interests, we can find histories of these accountings of the body in, for example, the inventory that is the *Book of Negroes*, slave ship manifests that served maritime insurance purposes, banks that issued insurance policies to slave owners against the loss of enslaved laborers, and branding as a technology of tracking blackness that sought to make certain bodies legible as property. My suggestion here is that questioning the historically present workings of branding and racializing surveillance, particularly in regard to biometrics, allows for a critical rethinking of punishment, torture, and our moments of contact with our increasingly technological borders. This is especially important given the capabilities of noncooperative biometric tagging by way of wearable computing, such as Google Glass, or through UAVs, drones, or other flying objects employed in U.S. counterinsurgency measures and other military applications, for example targeted killings or search-and-rescue missions.

Understanding how biometric information technologies are rationalized through industry specification and popular entertainment provides a means to falsify the idea that certain surveillance technologies and their application are always neutral regarding race, gender, disability, and other categories of determination and their intersections. Examining biometric practices and surveillance in this way is instructive. It invites us to understand the histories and the social relations that form part of the very conditions that enable these technologies. When surveillance systems that rely

on visualization as a way of classification are, as Sylvia Wynter aptly puts it, "increasingly becoming automated," allowing for "the great masses of people who have to be cast out,"[123] such casting out, or failure to enroll, must be attended to critically, given the privacy concerns surrounding file sharing and the current extraconstitutional treatment of those who are deemed by the state to be "risks." It is at the border—territorial, epidermal, and digital—a site where certain bodies are cast out and made out of place, that a critical biometric consciousness and the possibilities suggested by what Gilroy terms an "alternative, metaphysical humanism premised on face-to-face relations between different actors—being of equal worth—as preferable to the problems of inhumanity that raciology creates" can be realized.[124] It is precisely this casting out that incites such a critical biometric consciousness and rethinking that seeks our linked subjectivity as no alternative, but, as Fanon puts it, "the right to demand human behavior from the other."[125]