

THE RACIAL STATE



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DAVID THEO GOLDBERG



The Racial State

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David Theo Goldberg

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CONTENTS

Acknowledgments	vii
INTRODUCTION: THE STATE OF RACE THEORY	1
The Race from State Theory	2
State Projects and State Powers	7
Outline	11
1 STATES OF RACIAL DISTINCTION	14
Cities and States	16
Hybridity and Homogeneity	24
2 THE TIME OF RACIAL STATES	36
States of Nature and Historical States	39
The Racial Obsession of Modernity	49
3 THE STATE OF LIBERALISM'S LIMITS	57
Shifting Grounds	57
Carlyle's Critical Caricature	59
Mill's Racial Rule	63
4 RACIAL RULE	74
Naturalism and Historicism	74
Amalgamation and Assimilation	80
Naturalizing Order, Historicizing Governance	85
Racial Subjection, Ambivalent Rule	88
5 RACIAL STATES	98
States of Racial Rule, States of Racial Being	98

RACIAL RULE

On the periphery... people... learned quickly enough that Progress in the abstract meant domination in the concrete...

Nairn (1977: 335)

Naturalism and Historicism

The two traditions I have identified in conceiving and writing about racial states, while conceptually distinct and seemingly mutually exclusive, coexist historically. The naturalist conception, the claim of inherent racial inferiority, dominated from the seventeenth well into the nineteenth century; the historicist or progressivist commitment concerning itself with contrasting claims of historical immaturity displaced the dominance of naturalism in the second half of the nineteenth century but far from eclipsed it. It is revealing that the rise of what I am calling the historicist conception, for those societies in which it actually attained prominence, is more evident in the administrative expression of colonial rule than in popular culture or even in prevailing intellectual commitments. Popular culture and intellectual fashion came to embrace racial historicism, if at all, more slowly, begrudgingly, ambivalently. Indeed, one could say that each tradition has licensed various embodiments and expressions throughout the twentieth century – in fact, as I have hinted, continues to – and in that sense each is internally diverse. It is too easy to think that greater familiarity of those of European descent with those who are not would prompt the shift from naturalism to historicism, for such growing familiarity just as easily promoted contemptuous dismissive segregationist sentiments as progressivist sensibilities or egalitarian commitments.

These two traditions of racial conception are linked to two broader traditions of state formation, namely, to coercion and capital-based states. Particular states have emerged and matured out of specific histories that emphasized capital accumulation or coercion as the principal basis of state creation, expansion, and structure. As Tilly (1994: 8) argues, cities have tended to be containers of capital, states cells of coercive power like the military and later the police. By extension, I want to suggest that those states in Europe and their satellites that tended to emphasize coercion in their emergence, national unification, and elaboration – Germany under the diplomatic direction of Bismarck's iron fist, for instance (Breuilly 1992), and later apartheid South Africa – were likely to have been prone to a naturalist conception of racial formation, of racial superiority and inferiority. Here racial rule was considered imperative, if not the product of a Divine hand then the logic of Nature. The racially dominant were seen to set laws, impose order, and maintain control because destined by their blood or genes to do so. Dilution of their blood or genes was considered at once transgression of nature, with dire consequences. It follows that colonial rule, (imperial or self-determining) expansion, governmental imposition, and state control might be motivated as manifest destiny or natural law and effected principally at the crack of the whip, the point of the sword, or the barrel of the gun.

By contrast, those states growing out of financial centers and founded predominantly on capital formation and circulation – England, for example, or France – tended in the history of their development to have inscribed in their racial administration, implicitly or explicitly, a historicist or progressivist set of presumptions. Racial rule here was seen as the outcome of history, domination ordained by the hidden hand of historical development, the “fact” of historically produced superiority. Likewise, their colonial legacy would tend to be predicated on developmentalist assumptions, committed at least on the face through a long slow process of “progressive development and maturation” to colonial self-rule.

These links, it must be stressed, are a matter of emphasis and nuance. So I am not suggesting that there were not those in coercive-based states committed to racial historicism, or those in capital-directed states rationalizing claims to superiority and practices of subjugation on naturalist grounds, just as there were resistant voices to both in either state form. But again there is no natural relation between the force or

vehemence of resistance and forms of racial disposition. A naturalist might just as well dismiss intellectual contributions by those regarded racially inferior as "mimicry of the parrot"¹ and physical resistance as the "restlessness of the natives." And they might equally respond with vehement repression as with an attitudinal shift to historicism. The progressivist, in turn, might respond to resistance with further liberalizing reforms or with an inclination to naturalist rationalizations for more repressive subjugation, an ambivalence already reflected in the conceptual ambiguity of "progressivism."

In similar vein, those committed to naturalist principles on some issues or for some racially conceived groups might be found to express themselves in historicist terms on other issues or regarding different groups. So, for example, in 1857 Chief Justice Taney of the US Supreme Court declared in his majority opinion in *Dred Scott* that "it has been found necessary, for their sake as well as our own, to regard [American Indians] as in a state of pupilage." Because he saw them effectively as members of foreign nations, he claimed American Indians could acquire United States citizenship. Blacks, Taney argued by contrast,

had for more than a century before been regarded as beings of an inferior order, and altogether unfit to associate with the white race, either in social or political relations; and so far inferior they had no rights which the white man was bound to respect; and that the negro might justly and lawfully be reduced to slavery for his benefit.

Taney concluded that black people were excluded intentionally from being considered citizens under the US Constitution, unprotected by constitutional rights, immunities, and privileges (*Dred Scott* 1857: 403–7; Bell 1992: 20ff.). From the 1880s until at least the 1930s, not unrelatedly, American Indians were regarded in the US as assimilable while people of African descent were considered segregable because the two groups were seen to occupy different rankings on prevailing racial hierarchies. The former were deemed open to evolutionary progress, of being whitened precisely, in the way the latter prevailingly were not.

The distinction between naturalism and historicist progressivism likewise accounts, at least in part, for the vacillation regarding slavery and social integration by US civic and political leaders like Jefferson and Lincoln. Lincoln's is a case of espousing initially a naturalist

commitment (inherent inferiority) and acting on (later expressing also) historicist assumptions precisely in the name of a racial political progressivism. Lincoln's debates with Stephen Douglas in 1858 make clear his sense of "Negro" inferiority.² But his commitment to expatriation of blacks to Liberia, in keeping with the prevailing emigrationism of the day, at least implicitly acknowledged blacks' capacity for self-governance.³

Thus, in drawing the distinction between racist naturalism and historicism I am mapping dominant trends preparatory to delineating different forms of racial rule in the contrasting styles of state formation. The naturalist tradition is most evident in the intellectual trajectory regarding racial studies running from pre-Adamism through polygenism to eugenicism and the likes of *The Bell Curve*. It informs state formation in the "cruelty" of Spanish colonial rule even as the Spanish crown struggled in the sixteenth century with establishing laws recognizing the "equality" of colonial subjects (Merivale 1841/1928: 3–4). "The great principle of the Spanish law respecting the Indians," writes Herman Merivale in his extraordinarily revealing lectures on colonization in the early 1840s, "was that of preserving them in a state of *perpetual minority*" (1841/1928: 6, emphasis in original). Similarly, Jefferson notoriously insisted that "the difference [between black and white] is fixed in nature," indeed, that

the blacks . . . are inferior to the whites in the endowments both of body and mind. . . . The [Roman] slave, when made free, might mix with, without staining the blood of his master. But with us [Americans], [w]hen freed, [the black slave] is to be removed beyond the reach of mixture. (Jefferson 1781/1955, my emphasis)

What makes Jefferson's insistence more troubling than those of most contemporary or later racial scientists is precisely that he stood in a position to act on it politically. Jefferson could invoke the state apparatus at his disposal to effect his proto-segregationist imperative even though in fact he proved reluctant to do so (cf. Appiah, in Appiah and Gutmann 1996: 42–7).

In terms of state expression, then, the naturalist tradition is exemplified in the extremity of early Spanish expansion in the fifteenth and sixteenth centuries (Mariscal 1998: 8); in seventeenth-century English colonization of the Irish (Canny 1973; Lloyd 1999); in the

vicious violence of Belgian colonization of the Congo, most notably under Leopold II; in Nazi apocalyptic megalomania; in slavery, and the Jim Crow segregationist South; as well as in respect of apartheid South Africa. In a speech in 1932 Hitler, for one, foamed forth that the "economically privileged supremacy of the white race over the rest of the world" can be understood only on the basis of

a political concept of supremacy which has been peculiar to the white race as a *natural phenomenon* for many centuries . . . The settlement of the North American continent was . . . a consequence not of any higher claim in a democratic or international sense, but rather of a consciousness of what is right which had its sole roots in the conviction of superiority and thus the right of the white race. (Hitler 1990: 96, my emphasis)

In like fashion, a Southern white leader could claim more or less publicly unchallenged at the height of imposed segregationism that

[t]he Negro's skull is thicker, his brain is smaller than the white man's. . . . This accounts for the fact that while Negro children at school often compare favorably with whites, adults do not.

And a newspaper editorial in Maryland at the time insisted that black people develop

a greater respect for toil – manual toil. . . . What the negro needs is to be taught and shown that labor is his salvation – not books. The state appropriation is intended to encourage that teaching. (Both quotes in Litwack 1998: 102–3)

These were claims to be echoed a half-century later by H. F. Verwoerd, principal architect of explicit apartheid. As Minister of Bantu Affairs in the South African government, Verwoerd infamously asserted in 1952 that blacks should not expect to be educated for positions they would have no hope of occupying.⁴ We should note in these remarks the fear of black capability, in South Africa as in the American South, hidden just beneath the (imposed) surface presumption of inherent intellectual inferiority. Here we find an acknowledgment that collapses the productivity of discursive force with ex post facto ideological rationalization characteristic of racist naturalism.

The new historicism, as we have seen by contrast in the liberalizing hands of John Locke and John Stuart Mill and the developmentalism of Comte and Marx, marks British rule in India and Egypt. The model, incipient in the claims of Las Casas about the convertibility of indigenous Indians in the sixteenth century, fueled the commitments of British and French abolitionists in the late eighteenth and nineteenth centuries. But it also underlay French assumptions about assimilation or association in governing its colonies in Southeast Asia and Africa (cf. Lorcin 1999), the explicit "developmentalism" of British colonial policy from the 1940s on, as well as the ethno-immigrant model of race relations in the US associated above all with Robert Park and later Gunnar Myrdal's *An American Dilemma* (cf. Omi and Winant 1986: 16–24). And racial historicism similarly informs contemporary neoconservative commitments to racelessness, in the US, South Africa, Britain, and Europe, as I argue in chapter 8.

It should not be thought, nevertheless, that I am claiming that the historicist is relatively more benign (because somehow more "progressive") than a naturalist mode of racial governance. Naturalist forms, it is true, tended to be more viscerally vicious and cruel, historicist ones more paternalistic. But by the same token the naturalist tended to be bald, bold, and direct concerning racist presumption and commitment, the historicist ambiguous, ambivalent, indeed, hypocritical. With the naturalist accordingly the battle lines could be more directly drawn, the historicist tending to politeness, coded significance (the very implications of "progress" tending to hide assumptions about inferiority), and tolerance as veils for continued invocation of racial power. But as with all tendencies, these are trends only rather than hard and fast rules.

Merivale's comprehensive lectures on colonialism were delivered between 1839 and 1841 at the University of Oxford, academic center for preparing candidates for British colonial administration. Contrasting his own brand of incipient racial progressivism with the naturalism of the Spanish, Merivale generalized one anonymous colonial observer's conclusion concerning "the case of Australian Aborigines" to the effect that "native peoples" are as "apt and intelligent as any other race of men I am acquainted with: they are subject to like affections, passions and appetites as other men." As soon as they are declared British subjects, Merivale's observer continued, they should learn "that the British laws are to supersede their own" (Merivale

1841/1928: 500–1). Such rules must apply, as Merivale insisted citing the support also of Sir George Grey, colonial administrator in Australia and the Cape of Good Hope, both to

violations of the eternal and universal laws of morality: such as cannibalism, human sacrifice and infanticide [but also] to customs less horrible, yet, from the greater frequency of their operation, perhaps still more injurious and incompatible with civilization: such as the violent abuse of the authority of husbands over wives, and barbarous ill-usage of the weaker sex in general, and some of the features of slavery among [the colonized themselves], if not the practice itself. (Merivale 1841/1928: 502)

Protect them from themselves, by making them other than what they currently are, by undoing their uncivilized conditions.

Amalgamation and Assimilation

That “natives’ uncivilized conditions” can be undone entails that such conditions are not considered inherent but the product of custom, climate, and habit. “[N]ative races,” Merivale emphasized, “must in every instance either perish, or be *amalgamated* with the general population of their country. By amalgamation” he intended “the union of natives with settlers in the same community, as master and servant, as fellow-laborers, as fellow-citizens, and, if possible, as connected by intermarriage.” Every “native,” he stressed, should potentially be regarded as a citizen at the earliest moment possible (Merivale 1841/1928: 510–11, my emphasis). Merivale later summarized the range of empirical documentation he assumed available at the time evidencing “improvement” of “the inferior races” – Africans, American Indians, South Sea natives, Australian Aborigines – once influenced by their European “superiors” (Merivale 1841/1928: 549–53).

Colonization, astonishingly in this historicizing view, was sought to provide the virtue of protecting colonized women from the savagery of colonized men. This twist is replete with Anglicized irony. Racist protection against sexual invasion usually has assumed the fashion of white men claiming to protect white women against the projection of voracious sexual appetites of black men. It has hidden behind this

presumption the sexual proclivities of white men’s desire satisfied by the rape of black women, real and fantasized. Merivale’s enjoinder to racial upliftment effected by means of “amalgamation” was evidently to be pursued through white men marrying black women. Intermarriage, he apparently thought, would produce racial upliftment, biologically as much as spiritually and culturally, through generational enhancement. Far from being the “predestined murderers” of the colonized, he concluded that colonizing whites “are called to assume . . . [the latters’] preservers” (Merivale 1841/1928: 549). Here the polite Victorian hope of racial improvement sprang eternal through the gendered domination of racial intermarriage and interracial offspring. Haym remarks, not unrelatedly, that sexual interaction was as important to the effective running and extension of empire as the more obvious concerns of government and commerce. “In the erotic field, as in administration and commerce, some degree of ‘collaboration’ from the indigenous communities was helpful to the maintenance of imperial systems” (Haym 1991: 2). The euphemism notwithstanding, sexual domination – homo- as much as heterosexual, as Haym reveals – has proved a central practice if not condition of racial rule.

Merivale added another liberalizing advantage of the intermarrying “mixture of blood,” namely, a “considerable check on the prejudices of colour . . . for which there can be no substantial reason where slavery does not exist” (Merivale 1841/1928: 538). This is all the more curious in light of Merivale’s ready admission of the destructive force of “our profligacy, our fraud, our extinction, our invasions, the terror and the hatred which Europeans excite at almost every point of the earth where they are brought into contact with unsubdued races of inferior civilization” (Merivale 1841/1928: 561). It is useful to see Merivale, accordingly, as representing the bridging shift from naturalist to historicist presumptions, adding social and cultural influences of amalgamation to the biological, and without reducing the former to the determination of the latter.⁵

All this may seem a far cry perhaps from the deadly presumptions of Leopold’s Congo or Hitler’s Reich, of subjection in the segregationist South or apartheid South Africa. What is evident here, it must be stressed however, is not that the historicist assumptions are somehow more appealing than or morally superior to the naturalist’s, more benign because less physically vicious. As the tone of Merivale’s

insistence suggests, historicists have been moved to make such a claim in the name of a variety of "racial realism." "Amalgamation," as the later assimilationist experience of American Indians from the 1880s on revealed rather tellingly, could be as devastatingly destructive of a people, as violative of forms and conditions of social being, as any extremes of physical violence.

"[A]malgamation, by some means or other, is the only possible Euthanasia of savage communities," concluded Merivale in an astounding turn of phrase. "Amalgamate, or perish" is but one historical remove from "perish through amalgamation." And that step is all but explicit in the exhortation to euthanasia. The paranoias of degeneration had not quite fully taken hold so that intermarriage could yet be conceived as a mode of racial upliftment, as much physical as cultural, biological as civilizational, the one in fact not so distant from the other; 1840, it seems, is not all that far in some respects from 1990.⁶

The policy of *assimilation* clearly rests on historicist grounds, and it rules by historicist design. Assimilation emerged in the 1880s to dominate French colonial policy and US "internal colonialism" regarding Native Americans as well as Canadian policy concerning First Peoples. French or Anglo "civilization," as the case may be, "represented the apex of development." Peoples "less fortunate" than Europeans should be provided the "universally applicable principles" of "colonial development and good government" (Lee 1967). "Everywhere," writes Roberts of French assimilationist policy, "political development was to be as far as possible Europeanization." And yet "[a] good law," Condorcet insisted, "is good for all men, just as a sound logical proposition is sound everywhere" (Roberts 1929: 100ff.). Colonial assimilationists were confident of their possession of universally just laws, building the policy on the assumption that natives should become civilized through their acquisition of the rule of law and the custom of the colonizers, by ceasing, that is, to be native. Education was the principal mode. The first act of French colonizers like Gallieni once they had established themselves in a colony was to found a school, free to natives, conducted solely in French and emphasizing French culture, history, values, habits. Local elites were created and elevated, for the dual purpose of mediating French culture to the mass of the local population and assisting in the running of local government. The children of the elite were sent to university in France, in strict

proportion to the number of jobs available to them in the colony, so as not to foment rebellion on the part of a local "literate class" with too much time on their hands (Crocker 1947: 52–3). Indeed, it turned out to be just this literate class of largely European-educated middle-class elites that provided the intellectual inspiration for the nationalist anti-colonial movements at the middle of the twentieth century.

Similarly, US officials, most notably between the 1880s and 1930s, tore American Indian children from their rural reservation environments where they were likely to learn indigenous custom and rebellious habits, shipping them off over the plaintive and painful protests of their parents for adoption by white families and assimilation into white schools.⁷ Stripped of family and culture, in a sense deracialized, they could be recreated, racially reconfigured – as white. Out of indigenous context not only did they look white but they were "reinvented" as white in terms of custom, habit, culture, practice. It could be said that official American disposition towards "the racial question" from the later 1880s to the aftermath of World War II was a mix of naturalist assumptions concerning "negro" segregation and historicist commitments concerning Indian assimilation.

These examples suggest a distinction in colonial disposition also regarding governance of the racially different. The French were disposed to treat many of their colonies effectively as provinces or *départements* of France, worldly extensions of the body politic. The British saw their own colonial policy evolve to embrace developmentalism, a concern with the economically and educationally determined development of the colonized society to ultimate self-sufficiency and self-rule. Even the troubled, ambiguous, and ambivalent history of US policy regarding indigenous populations can be read through the struggle over sovereignty.

This is not to deny or underrepresent the force of local resistance in prompting the demise or shift in the scope or forms of racial rule. Such transformations in no way would have been initiated or have struck so deep in the absence of the racially subjugated and repressed striking back. Power is never ceded or shifted without resistance, in the limit case even where the repression is internalized. I mean only to emphasize that all of the dominant and dominating political projects listed here are underpinned by or represent or reflect historicist assumptions, commitment to which was more or less explicit and conscious. Those modes of racially inscribed governance tied to naturalist

commitments, by contrast, were moved to treat the societies considered racially inferior either as free space for the (profit-)taking – as space needing to be cleared of the supposedly inferior inhabitants, as sources simply of wealth provision directly as a consequence of raw material or mineral provision – or indirectly due to (artificially) depressed labor costs. As a result, rule was to be imposed directly just as the space of the racially distinct and differentiated was to be kept at a distance, to be maintained as lands or spaces apart.

The claim to universal principles as ideals to be pursued or emulated that underlay both progressivist racial historicism and naturalism hides from view the fact that, touched by Africa or Asia, South America or the South Pacific, Europe could never be the same again. This was especially so in the historicist case, though the internalization of naturalist-provoked violence had telling effects too. In seeking to assimilate Africans and Asians, indigenous Indios and Pacific Islanders – economically and culturally, religiously and intellectually, socially and politically – Europeans would be forever transformed. Little did the English, French, or Dutch, in (former) colonies as in their metropolitan “homes,” realize how profoundly Empire would alter them, what libidinal forces it would loosen and license, what consumptive desires it would liberate, what fashion – clothing and jewelry, art and body art, music and literature, food and drink – it would spawn, what habits of the heart as much as heartless darkness it would engender, what modes of spirituality, religiosity and flights of fancy it would suggest. Seeking to impose values and practices upon the colonized from without, from social contexts and political arrangements radically different, European colonizers failed to understand how deeply altered they would be whether at close hand or from the “safe” distance of European centers.

It follows that the naturalist and historicist traditions of racist commitment always contained the seeds, the incipient presumption, of each other. Only the historicist window would allow (for) such provocative developmentalist possibilities, but no sooner allowed, acknowledged, and embraced than the naturalist warnings echoed through European consciousness and culture. “Look, Mama, a Negro.” Dare not touch. Fear of contamination, the terrordome of a “black/brown/red/yellow” world. And no sooner touched by the whip of naturalism than the plaintive dignity of slave songs and narratives, the pull of native wealth, the tastes, tales, and fictions, the lure of

silks and spices, landscapes and spaces – in short, the irrepressibility of forbidden fantasies and practices – raised the teleological possibility of humanist historicity. Dance with the orangutan and an orangutan one degenerately just might become. So human hope for the orangutan, at least developmentally, progressively, there must be.

Naturalizing Order, Historicizing Governance

The differences between the naturalist and historicist traditions, however, are clearly revealed in their respective considerations regarding both miscegenation and access of those not completely of European descent to offices of governmental power. Racial naturalists almost always have been committed to anti-miscegenation laws. For the naturalist, miscegenation prompts the fear of degeneracy or cultural and physical pollution, the bringing down of the superior by socializing with the inferior. Rape of black women by white men, nevertheless, if not formally condoned, was more widely engaged than acknowledged. It obviously effected for white men release of sexual frustration, the raw expression of libido or power, or in some cases sexual practice by young white men for their impending marriage to white women (cf. Haym 1991). Racial historicists, by contrast, might – Merivale’s amalgamation notwithstanding, one might think would – frown socially upon mixed-race partners and offspring though not necessarily preclude their possibility legally. Here, racial taboos on intermarriage or miscegenation mirrored interclass taboos. As such, they were (to be) socially discouraged rather than legislatively precluded. The distinction is borne out by policy differences between pre-apartheid British rule in South Africa, where miscegenation was socially discouraged but not outlawed, and the apartheid regime that banned all sexual relations between whites and other racial groups between 1950 and 1988.

Similarly, naturalists tended to deny access to offices of governance to those considered racially inferior. Historicists, by contrast, were likely to encourage such access within strictly delimited parameters and for more or less well-defined purposes: maintaining control, guaranteeing a steady supply of migrant labor at minimized costs, securing racial and social peace, hands-on preparation of the historically less developed for ultimate self-governance, and so on. Again, the apartheid

regime maintained strict educational segregation at almost all levels, whereas the British in India or in their African colonies provided mixed schools not least for children of local elites. Many a European and US university has been advantaged by the likes of Achimota's legacy.⁸

Now the civilizing mission of colonial missionaries obviously must have presupposed, at least in principle, the presumption of racial (including cultural) progressivism. If it were to prove possible to convert the colonized to Christianity, and in conversion to introduce the infidels to the virtues of civilization, to the habits and manners of righteousness, and to the promise of "the heavenly city," this must presuppose not only convertibility and comprehension on the part of the momentarily inferior. It must presume in addition the very *possibility* of progress, advancement, civilization. The civilizing mission, as John and Jean Comaroff have spelled out in fascinating detail regarding the Tswana of Southern Africa, involved "methodically" transforming everyday life of the natives, their modes of "personhood and production, . . . habits and homes, . . . notions of value and virtue" (Comaroff and Comaroff 1997: xvi). Ironically, as this civilizing project necessarily presupposed the possibility of historical development and cultural, social, and intellectual progress on the part of natives considered racially naive and immature, it presumed the claim to transcendental value at once economic and epistemological, legal and moral. Transcendental value was represented in the universal currencies of money and the word, productive labor and sanctified truth, industry and knowledge, rational legality and moral virtue. The assumption is ironically universalist, for these imposed aspirations to universal ideals were always no more than embodiments of European, Christian virtue and practice, morality and truth.

We can see at work here the twin sides of colonialism: historicist and universalist, educational and forceful, developmentalist and destructive, pious and power-mongering. If the naturalist version of colonial racial rule governed by unswerving principle, the historicist ruled through the pragmatics of political, moral, cultural (in short, racial) imposition, local in effects and global in reach. Historicists struggle always with the tension between "obvious" racial differentiation, heterogeneity, and heterodoxy and their seemingly necessary drive to the civilizing imperative of a created homogeneity, a structured sameness. If naturalist logic was differentialist and ultimately

segregationist, the historicist's was assertively assimilating and in the end integrationist. Colonialism, it could be said, was always negotiating, if mostly all too unhappily, the space between required conformity and rebellious dissent, the latter a tradition found throughout the history of Christianity, as the Comaroffs are quick to comment regarding Protestantism (Comaroff and Comaroff 1997: 7–8). Indeed, colonial rule is stretched repeatedly between the rule of law and the rule of force, extravagant excess and modest self-sufficiency; between promoting and prompting conspicuous and "careful" consumption, radicalism and civility, consensual consort and violence. "A hand of iron beneath a glove of velvet," implored Arthur Girault of French colonial policy, "must always be the rule in our relations with the natives" (quoted in Roberts 1929). The impositions of developmentalism are not so far a cry from the terrors of destruction.

In their colonial applications, historicism or progressivism was to naturalism as the velvet glove was to the iron fist. The former was inclined to be soft and smooth, proceeding through the imposition of education and ideology, subtle coercion and calculating manipulation, but bristling to the critical touch. The latter tended to be vicious and vindictive, bald in design and ends, cruel and forcefully commanding in its means, sometimes driven to transgress genocidal limits, and tolerating no opposition.

In both colonial and postcolonial worlds dominated by racial conception, racist exclusion, and racially tinged resentments, the naturalist conception has been more prone to critical attack, to moral disapprobation, and ultimately to governmental and state distination. This was so precisely because of the extremities of violence and cruelty to which the naturalist conception "naturally" lent itself, both as discursive progenitor and as *ex post facto* rationalization. Dehumanize people in group terms – "racialize" them, precisely as Fanon would first use the term (Fanon 1968) – and they are rendered more disposed to dehumanized abasement. Render *them* abject and there is little to prevent their dehumanized dismissal, their "moral eviction," to invoke Zygmunt Bauman's characterization of Nazi treatment of Jews, among others. Indeed, to nothing within the scope of naturalism per se. It turns out that naturalism is little disposed to auto-critique, to moral self-reflection. What critical objection it faced historically was likely to come as much from historicist quarters as dismissive outrage on the part of the subjugated, at least until well into the twentieth

century. Witness Mill's polite liberal disapprobation of Carlyle in chapter 3 above.

The racist predispositions and presumptions of progressivism or historicism, as we have seen by contrast, are more nuanced and hidden, less self-assertive, more worried about appearing so. But the dominant effect of this trajectory has been not the dismissal of racist commitment and expression as such but the replacement – one might say displacement – of naturalism by racial historicism, of one form of racist articulation by another. The perpetuation of racial commitments and racist exclusions has been veiled behind this shift, preserved anew in the vocal dismissal of the bald and extreme in the name of the polite and subtle, of the presumptively unsustainable in wake of the enlightened. Enlightened racism is camouflaged beneath its liberal historicist enlightenment. This is a point I will return to elaborate in chapter 8 for it concerns the very meaning and legacy of racelessness (for instance, colorblindness) as underpinning more or less contemporary state policy.

Racial Subjection, Ambivalent Rule

It is possible to map out the different forms social subjection assumes under the two models. By subjection here I have in mind the sense both of the making of the social subject and the modes of racial domination, of racial rule. The naturalist and progressivist conceptions are alike in viewing as agents those defined as white and those occupying the position of colonizers. For the naturalist, whites and colonizers are considered agents of biological or inherent destiny; for the progressivist, they are agents of history. So both traditions assume or inscribe a teleology, the former reductively determinist, the latter the product of a logic of temporality. For the naturalist, Europeans are living out the superiority of their biology or inherent nature, for the historicist they are satisfying the teleological logic projected in “the end(s) of history.” The naturalist and progressivist differ more deeply regarding the social subjectivity of those considered colonized, not white, and non-European.⁹ The naturalist takes the colonized and those rendered racially inferior to have no (or little) agency. For the historicist, the agency of the colonized, those categorized non-white or non-European, is undeveloped. Such agency has to be promoted

by developing their potential for self-determination, saving natives from their (pre)historical selves, the effects of their undeveloped or uncivilized conditions.

I stress here accordingly the ways in which racially embedded presumptions about social subjectivity and racial rule mutually reinforce each other. Both the naturalist and progressivist presuppose a notion of universal subjectivity, a subjectivity closed off by the naturalist to those considered not white while potentially reachable for all in the historicist or progressivist view. The historicist thus claims to recognize, by presuming actually, an abstract, neutered, universal agency in the personhood of the colonized, a potential agency not yet actualized among the differentiations of their social specificity. That ambivalent tension identified above between the assumption of an embedded universalist nature hidden beneath historically undeveloped, particularistic ways of being is reasserted here in the historicist conception of social subjects. Peeling away the specificities of native ways of uncivilized existence through education was supposed to reveal the possibility of the universal subject, presumed in the example(s) of European high culture and modes of governance. Amalgamation, as Merivale would have it, was to help kill off the savage dispositions (or to help the colonized kill off the specificity of their own subjectivities) through the sanctity of intermarriage, the attendant mixed offspring, and the cultural upliftment supposed to follow.

This way of casting the issue reveals at once the deeply gendered character of racial subjection and the rule of racial subjects. Until well into the twentieth century white women were fashioned in racial terms as the media of national reproduction, in at least three ways. First, they were the bearers of future generations of citizens and citizen creators, providing care as nurses for military or administrative agents of the colonizing state. Middle- and upper-middle-class women served also ideologically to reproduce the body politic in ethnорacial and national terms, via their principal positions as governesses and teachers. Working-class women by contrast serviced the economy largely by working up the raw materials from the colonies into commodities for both domestic consumption and global circulation, while expected also to reproduce new generations of workers. Non-European women in the colonies served as domestic labor for the colonizers as well as field hands, in many instances effectively nurturing young white children while all the time considered fair game for

satisfying the sexual proclivities of their masters. They were simultaneously objects, almost incessantly, of a Malthusian discourse of population control through family planning and more extremely sterilization (cf. Stoler 1995). As slaves, African, Asian, and Indian women assumed added value on two related counts: as commodities to be bought and sold at "fair value" on the market, and as the reproductive bearers of additional profit, the generators of potential slaves or indentured servants. Black women especially were seen as the means to surplus value in a triple sense, then: as making commodities, as making babies, and as themselves commodified objects for possible trade (Davis 1981; Anthias and Yuval-Davis 1989: 6–11).

Colonizing, as Helen Callaway makes clear, was considered man's work, the work of white man's regulative control, to be exact. The colonies, it was emphasized repeatedly, "were no place for white women" (Callaway 1987: 4–5). European women – "nice girls" as the characteristic infantilizing identification with African "boys" employed as servants and workers would have it (Callaway 1987: 6, 23) – were more or less excluded from British colonies in Africa until the early twentieth century. Even in the dying decades of direct colonialism, white women were admitted to the colonies only begrudgingly, whether or not seeking to accompany their husbands serving as colonial agents. Indeed, lower male ranks in the colonial service were required to sign a contract restricting marriage in their first three years of foreign service, so as not to be distracted from the duty of Empire (Callaway 1987: 20).

The colonies thus were male clubs of a kind, at once the laboratory, factory, and stable of white men's making, their fantasies forcibly serviced by the local population, men and women of color alike. Colonization in effect was about European men teaching their like to be men, to do men's work, to exercise power and to serve country, king (no doubt preferably), and God (undoubtedly masculinized). Here the traditional tension between Kantian duty and utilitarian instrumentality got resolved neatly in service of the imperial imperative, the sense of superiority and the civilizing mission tenuously and ambivalently combined as European men's prerogative. White women were seen as getting in the way of completing the "rough" work colonization necessitated and its vast profits required, too squeamish in the face of the necessary violence, too soft and tearful before health and hellish hazards, too sensitive even for the hardships of difficult

administrative decision-making. But – and this is all too little stressed – white women were regarded the bearers or symbols of too much moral conscience, in the way then not only of white men expressing unmitigated power but of fulfilling their most extreme sexual fantasies. They were, as one-time governor of the Gold Coast, Sir Alan Burns, remarked all too priggishly, "intruders into what had been essentially a bachelor's paradise, where a man could dress as he pleased, drink as much as he liked, and be easy in his morals without causing scandal" (quoted in Callaway 1987: 19).

In those colonizing states where naturalism clearly gave way to historicism as the dominant colonial disposition towards the close of the nineteenth century (most notably among the British, French, and Dutch), increasing numbers of women began to appear in colonial service. A gendered form of historicism, it might be said, paralleled the racial variety. It is illustrative of this point that European women were all but absent from what I have characterized as naturalist colonial orders such as Belgium's Congo Free State. European women came to occupy positions in the colonies ruled by an historicist vision first as nurses and later as teachers, secretaries, doctors, welfare officers, and in the dying moments of colonial rule as junior-level administrative officers, exceptions like Margery Perham and Flora Shaw (Lady Lugard) dramatically proving the rule (Callaway 1987: 6–7).

In general, and perhaps prompted by their own experiences, white women showed greater sympathy than men to the plight of the colonized, a more charitable spirit to the local children and women with whom they were likely to have more contact, and stronger support for their educational advancement (Callaway 1987: 4). If colonial practice was predicated upon a mix of Kantian duty and utilitarian calculus, women's moderating influence, not to make too much of it, turns Kohlberg's masculinist model of moral developmentalism on its head. I do not mean to deny in this white women's privileged position regarding colonized women and men, the benefits white women accordingly enjoyed, the possibility of their class elevation as a result of relations between madams and maids. Nor for that matter to pass over in silence the "preexisting hierarchies of power," gendered precisely in their inscriptions of domination, that met European imperializing missions (McClintock 1995: 5–7). Yet precisely because of these preexisting forms of gendered domination on both shores of the colonizing ocean, ambivalence surely marked colonial relations

between women on each side of the racial divide more deeply than it did the dominant master-slave relation between white men and black people. European women, it is safe to say, engaged in a less totalizing, more tenuous embrace of whiteness than their male counterparts. Not unrelatedly, I have to think that the colonial desire of white men for black women, admittedly motivated by and reinforcing their own sense of power, sparked the sort of hesitation one finds towards slavery in the likes of Thomas Jefferson. What does it say, after all, about white men's sexual desire and about white men's character more generally, whether or not rationalized (away) at the time as biological instinct or drive in the absence of European women, that it be satisfied by those recognized only as animals?

This ambivalence is deeply configured in racially cohering terms, gender differentiation notwithstanding. If ambivalence is a constitutive mark of the modern condition, as Zygmunt Bauman has argued forcefully (Bauman 1991), modern ambivalence is clearly revealed in relation to race. In governmental terms modernity has been about undertaking to impose order, to assert and manage with the view to guaranteeing the conditions that make order as much possible as invisible. Order is projected as the antithesis of nature. Nature, as Bauman remarks, "means . . . nothing but the silence of man" (Bauman 1991: 6). Conceived in naturalistic terms, those classified or considered not white are reduced to silence – both incapable of speech and in the end of being spoken about. In Kantian terms they are merely phenomena, objects, lacking the capacity for rational autonomy that is the authorizing mark of noumenal beings. Silence and invisibility – neither heard nor seen – are mutually reinforcing. Being written into the official record as not white is at once to be whitened out, so to speak, to be made part of the natural landscape, the silent backdrop in relation to which life is lived, taken for granted or passed by while being ignored.

There is an inherent unsatisfactoriness attendant to the constitutive ambiguity at work here conceived precisely from the point of view of imposed order. In this arrangement, those not white are taken on one hand to inhabit a nature that places them as such beyond (the very possibility of) order. On the other hand, they are supposed to be ordered through nature, for they are (pre)conceived as inhabitants of a natural order controllable by enacting the laws of nature. Nature is that about which – in the face of which – "man" is driven to silence as

much as it is the metaphor for silence itself. Those conceived racially as nothing more than the products of nature accordingly inspire awe, in the way in which nature can. Nature in this formulation stands in stark contrast to – the dark or underside of – humanity. Thus nature is not just that about which man is driven to silence but about which there cannot be anything to say. It is beyond knowledge because beyond speech.

The "cannot" here itself is ambiguous, indicative of the ambivalence at work. It falls between the "cannot" of inherent inability or incapacity and the "cannot" of imperative impossibility, of commanded incapacity. The ambiguity embedded here, in other words, is a particular expression of the classic modernist tensions between fact and value, nature and norm, description and prescription. It is this ambiguous ambivalence that marks modernity, that fractures the world of the past half millennium and that has been called into question so sharply of late. Race accordingly is not just part – an aspect – of that modern world but *emblematic* of it, as much the exemplary condition of the modern as one example of modern practices and conditions among others. As much synecdoche of the modern as an instance, an index as an outcome. Thus the "constructedness" of race, about which so much has been made in recent racial theorizing, is more complex than most contemporary analyses all too glibly make out. For modern racial order, as I have outlined its conditions of possibility here, is as much "discovered" as it is (re)produced; it is as deeply the "product" of some presumed laws of nature as the outcome of law's imperiousness.

The shift from naturalism to historicism or progressivism is the (re)admission of those deemed not white into a history not simply naturalistic. It represents the elevation of those who had been considered objects of nature to subjects of history, of being placed not before but in time even if as inhabiting a time not yet modern. Here, in contrast to racial naturalism where those regarded as racially inferior are restricted to spaces before or frozen in time, the racially differentiated are defined in terms of inhabiting an earlier premodern time. In either case those not white are placed outside: outside time or outside the space(s) of modern time. Thus for modernity the space of race is that of *the outside* – the external, the distant. The trick of race in either case then was to turn imagined conditions, those conditions (re)created and (re)produced, into the presumed and discovered, the given because natural.

Classifying schemas, of course, have been central to modern modes of administration precisely because classification is all about imparting order to and imposing it upon the world. In some ways, modern modes of thinking became consumed with classifying mentalities. The modern condition as a consequence caught itself between worlds always more than any order(ing schema) can "capture," on one hand, and the incessant drive for – the imperative of – control, on the other. All those concerns with racial classification schemas marking modern social thought from the late seventeenth century onwards accordingly are about the insistence on epistemological order in the face of the unknown, of control in the face of the anarchic – in general, of order in the face of disorder. Thus modern states – the state of imposed order naturalized – are not simply consistent with racial classification schemas but perfectly conducive to – in a sense dependent upon – them. Modern states invoke the classifying of races as offering structure to worlds seen as if by nature (recall the state of nature). They order worlds otherwise altogether unstructured, un- or deformed, indeed, worlds considered as incapable in their "natural" form of structure. Colonial order accordingly was as central to elaboration of racial classification schemas as such schemas were to the material order of the colonies.

Classification, as Bauman argues, is at basis about setting apart, about cutting things off from each other into discrete containers, about *segregation*. Classification thus involves those acts of inclusion and exclusion so central to the experience of racism (cf. Bauman 1991). In seeking through classification to impose order upon an otherwise unformed world – or one seen and experienced as lacking form – the social world becomes mapped onto the natural, the natural is filtered through, alchemically transformed into, the social. And in the process the modern order of nature ironically comes to offer a model for the social.

Race is the perfect medium for this collapsing of the social, the historical, into and upon the natural, of value into (claimed) fact, of "seeing" – really conceiving – social conditions and relations, identities and subjectivities in natural terms. Racial naturalism, as such, emerges as the seemingly fitting ordering of the social in terms of the natural, the "natural" veil of the socializing of the natural. Racial historicism may be read in this light as trying to have it both ways, reading the historical against lingering naturalist assumptions. It follows that racial naturalism almost perfectly suits modernity's twin mandates of order

and control. Almost but not quite, for racial naturalism refuses to take into account two ultimately undeniable and related considerations. First, it refuses to acknowledge that the modes of objectifying imposition it presupposed and promoted rub up against the abilities and capacities, needs and wants of those supposed in the naturalist classificatory schemas not to have any, or to have them but not in quite the forms they would actually manifest. And second, it flees from the unhinging phenomenon of the fantasies and desires of those for whom the classifying forms were supposed to guarantee order and control. Those distanced in virtue of their racial distinction are at once rendered desirable in virtue of their difference; those fashioned as somehow fantastic are at once constituted, ambiguously and ambivalently, as the objects of fantasy, pursued as much as fabricated, desired as much as denied, in those terms.

Thus, modernity's ambivalence strikes at its very "foundations," its core. Modern consciousness increasingly comes to recognize the heterogeneity it was so deeply implicated in prompting. To this recognition it responds, however, with various epistemological and practical interventions in seeking to reimpose order. On the one hand, there is a recourse through repressive state assertion to insist on the implications of a naturalist order by materially imposing it through law and policy, through classificatory modes and material control. The long history of racially exclusionary immigration policies throughout "Western" societies is ample testament to the point. On the other hand, there is begrudging revision of the categories in view of which the racial outsider could claim to be known. The revision prompts shifts from naturalist to historicist or progressivist or evolutionary terms, from the stasis of "Being" to the developmentalism of "Becoming," from objects of natural order to subjects (though not – at least not yet – as citizens) of the state, from racial subjection through technologies of the whip, sword, and gun to racial management via the funneling technologies of education, opportunities, and access.

Racial order, at the very heart of the modern state machine then, suffers the ambivalence of modernity multiply. Racial order imprisons modern subjects under the control of classifying schemas always delimiting of possibilities. It thus splits selves and subjects between the "can" and "ought," between possibility and impossibility, requirement and liberty. But in this, the tension between racial naturalism and historicism perfectly represents the ambivalence of broader modern tensions,

exacerbated by the order of race: between determinism and freedom, structure and indeterminacy, form and formlessness, the before of history and its end. The ordering of the state accordingly by, in, and through race is at once representative of modernity more generally as race serves centrally to define and refine the modern condition.

For the racial naturalist the engagement with the racially subjugated is one of strict, unmediated exploitation. The racially inferior are seen as surplus value, both as usable labor and discardable detritus. In this, they are considered both laboring means to the production underpinning the possibility of profit and as objects themselves from which profit can be elicited by being traded as commodities themselves, bought and sold on the market, much as garbage has become both a bother and a commodity. For the racial historicist, the racially immature are inserted into historical development. They accordingly are promised progress, a promise at once undermined by racial imposition in being progressively postponed to a future never quite (to be) achieved. Historical progress is to come, as Homi Bhabha has revealed so insightfully (Bhabha 1994: 86–92), through mimicry of the European, a “colonial mimesis in which to be Anglicized is emphatically not to be English,” where the colonized can be “almost the same, but not quite” – “not quite/not white.” The colonized are inserted into global markets perpetually as laboring means, promised equality as economic players but perennially shortchanged as political and social equals. The effect is that those deemed racially undeveloped and immature are reproduced almost inevitably as unequal – as exploitable labor in the colonies, as discardable in the postcolony, and in both as abusable migrants employed to take on work no one else will – or apparently needs to. Behind the promise of racial progressivism, as Nairn hints at in the epigraph to this chapter, in the name of its proffered utilities, lies the rule of a racial domination no longer naturalized perhaps, but modernized nevertheless. It is to a consideration of racial governmentalities associated with naturalism and historicism respectively that I now turn.

NOTES

1 This is David Hume's characterization of eighteenth-century “evidence” of “Negro” intellectual contribution.

- 2 “I have no purpose to introduce political and social equality between the white and black races. This is a physical difference between the two, which in my judgment will forever forbid their living together upon footing of perfect equality, and inasmuch as it becomes a necessity that there must be a difference, I, as well as Judge Douglas, am in favor of the race to which I belong, having a superior position” (Lincoln 1863/1953: 16).
- 3 By 1864 accordingly Lincoln had backed away from emigrationism and could be seen creeping carefully towards black enfranchisement.
- 4 Booker T. Washington's insistence on vocational training for blacks, on which he founded the Tuskegee Institute, perhaps reveals the internalized ambivalence in responding to such presumptions.
- 5 Harriet Martineau's *Dawn Island*, written in 1845, provides a literary expression of this shift, in her terms from the racial extinction of some groups so “savage” they are incapable of being saved from themselves to those groups whose racial salvation is the benevolent product of European civilization. See Brantlinger (1995: 43–4).
- 6 The view that racism is reducible to the naturalist assumption, I have argued, has dominated the secondary literature on race and racism. Charles Mills, as I have pointed out in chapter 2 above, represents a widespread assumption in this regard. It follows that it is unproductive to look to the secondary historical literature for evidence of the historicist expression, for the secondary literature tends to replicate and thereby reinforce the naturalist presupposition. It is at once blind to and blinds analysts from seeing the revisionary force of the historicist interpretation. For one example among many, cf. Bolt (1971).
- 7 I am informed that this still occurs in South America, most notably, in Suriname. Government-sanctioned practice in Australia was even more vicious, if this is imaginable and as recent evidence there has revealed. Thus Aboriginal children were abducted by white adoptive parents or orphanages with the view to bringing up the children to believe they are white.
- 8 Achimota is the highly regarded British-founded school for Ghanaian elites that assumed significance in the wake of World War II. The Freetown Grammar School served similarly in Sierra Leone.
- 9 Historically, Europeans and whites were considered synonymous, as much represented accordingly in formal state classifications as assumed informally in the culture. Thus prior to the 1960s, the official state designation for whites in South Africa, for instance, was “European” and “Non-Europeans” for blacks – “Coloureds,” Africans, and indeed Asians inclusively. In good part in the face of the insistent pressure of Black Consciousness in the 1960s, the designation shifted to “Whites” and “Non-Whites,” the insult of negation nevertheless remaining in place.

RACIAL STATES

Written law is the law for civilized nations; customary law is for "brutes."

Bentham, *Of Laws in General*, p. 153 (Majeed 1992: 147)

Exterminate all the brutes.

Kurtz, in Conrad's *Heart of Darkness* (1901/1991)

In states that are racially conceived, ordered, administered, and regulated, the racial state could be said to be everywhere. And simultaneously seen nowhere. It (invisibly) defines almost every relation, shapes all but every interaction, contours virtually all intercourse. It fashions not just the said and the sayable, the done and doable, possibilities and impermissibilities, but penetrates equally the scope and quality, content and character of social silences and presumptions. The state in its racial reach and expression is thus at once super-visible in form and force and thoroughly invisible in its osmotic infusion into the everyday (Essed 1991), its penetration into common sense, its pervasion (not to mention perversion) of the warp and weave of the social fabric.

States of Racial Rule, States of Racial Being

The racial state accordingly is as much a state or condition of being as it is a state of governance. Actually, we should speak more accurately here of racial states, for (as I have argued) the forms and manifest expressions are multiple and multiplicitous, diverse and diffuse. Racial states, one might say, are places among others where states of being and states of governance meet. For instance, race has long enabled

citizens both to deny the state's implication in violence and where acknowledged to deny any personal implication or to abrogate responsibility. In the vein of racial naturalism, it is common to hear claims like "they are not really people, so it cannot be violence after all, for there are no victims at all." Racial historicists, by contrast, often rationalize that "racism is a thing of the past, so contemporary racial inequities must be due to individual, or even group, inadequacies." It has become all too common to hear the complaint that "neither I nor my family had anything to do with slavery, so why should I be responsible for remunerating slaves' progeny?" (Darity 2000). Citizens of racial states thus are able to trade on the ambiguity between condition of being and form of governance, at once benefiting from (the historical and contemporary effects of) reproducing racisms and distancing themselves from any implication in them.

It is important to recognize here that the racial state trades on gendered determinations, reproducing its racial configurations in gendered terms and its gendered forms racially. Bodies are governed, colonially and postcolonially, through their constitutive positioning as racially engendered and in the gendering of their racial configuration. As I have argued, white men enacted the "dirty" governance of colonialism; white women, excluded from the formalities of colonial governance almost altogether, in very large part were excluded also from the colonies, or from those colonial spaces least like Europe. Largely ripped from traditional forms of labor, "non-European" men were put to work manually in both historicist and naturalist regimes, where they were employed at all, under grueling, debilitating, ultimately crippling conditions. Under historicist regimes, the more educated indigenous middle and educated classes of men would be employed at lower levels of local colonial administration, their sons ultimately becoming the nationalist leaders of the decolonizing movements a half-century or more later. Black women, black women of mixed origin, and Asian women likewise were racially devalued and driven to lesser or deskilled work in domestic or manufacturing or agricultural arrangements. And they were under constant threat of sexual invasion and exploitation by white men (and often by men generally), as too were young boys not classed as white, though to a lesser extent than girls and women (Haym 1991).

It is revealing to think of the military in this context as a state institution. While self-evidently defined and ordered by men for, in,

and reproductive of the interests of men, the military has served different racial interests in different states and at different times. In Israel, for instance, it is *the state agency* through which youth are socialized and trained, opening up and closing down social possibilities for Israeli (and most notably Jewish Israeli in contrast to Arab Israeli) youth over their lifetimes. Thus military positions less available traditionally to women and non-Jews – intelligence gathering or visibly heroic and physically demanding leadership roles – close down available professional possibilities later in life. Who gets conscripted and to what positions reveals something about the interfacing exclusions effected by an institution so powerful and central to state identity. In South Africa until the late 1980s only white (presumably heterosexual) men were conscripted to the military, serving the imposed definition of national security within its national borders and without in terms of the discursive confines of apartheid. In the United States, the racial and gendered complex of the military became more contested in light of Truman's desegregating order in 1947, of the growing insistence recently of (at least some) women to be institutionally incorporated and the implications for institutional culture and practice. But the racial identity of the military has become more questioned also in the wake of the tacit equation in some quarters of the contemporary American state (like the "new" South African one) with blackness (roughly one-third of US military personnel now are African American). Military engagement colonially and postcolonially has also prompted a form of domestic politics. So, many less advantaged Filipino and South Vietnamese women sought social elevation through engaging and servicing American soldiers at and around bases in the Philippines and South Vietnam, practices American men were quite happy to encourage.

Theoretically, all this entails that the military is no longer simply, if it ever properly could be conceived as, an exclusively repressive state apparatus. It plays also a more or less defining role for state socialization in regimes of racial patriarchy. This in turn reveals intersections more complex, nuanced, and subtle than Althusser's well-worn distinction between repression and ideology warrants.

So racial violence perpetrated in the name of and by the state invariably assumes gender-specific expression, and state-shaped racially figured labor policies and practices are almost always contoured to reproduce a state of gendered effects. The promotion of migrant labor

flows by the colonial state in South Africa in the late nineteenth century through the imposition of hut and poll cash taxes drove black men from the land to seek work in mining, secondary industry, and urban domestic settings. Rural women were left to tend for children, agriculture, and the rural homestead, with devastating effects on family units. Urban black women were driven mainly into domestic labor, menial manufacturing jobs, managing shebeens (illegal home bars), or prostitution, reduced almost invariably to servicing whites and men. The statutory restriction of mixed marriages throughout the southern United States until 1968 principally affected black women, effectively restricting them from claiming paternity support for the children fathered by white men as a result of rape and coercion.¹

Defining States, Refining States

There is a deep tension here between the state as a set of institutions representative of specific political interests, or a site around which the struggle for such political representation takes place, and the political as more diffuse, as infusing all social relations and subject formation. Theoretically, this tension emerged explicitly in the wake of the 1960s. It manifests most clearly in the swirl of views around Althusser and his followers regarding repressive and ideological state apparatuses as well as the interpellation of subjects, renewed deployment of Gramsci's analysis of hegemony as social reproduction through popular consent, and Foucault's critical interventions concerning subjection, normalization, and governmentality.

The modern state was never simply an epiphenomenon or conduit of capital. This is especially so when one considers the state in its colonial – colonizing or colonized – form, or more broadly in its racial shape and ordering. Racial states most broadly construed, as modern states generally, often have served capital's interests, more or less self-consciously, and certainly always have expressed its gendered interests. They have done so not least by regulating the (racially ordered and deeply gender-differentiated) labor supply and by policing the gates and terrain of bourgeois access and style, substance and aesthetics, the shapes and roles of families. Thus they have ensured economic wellbeing for some and social law and order diffusely. Capitalist states have drawn heavily on these racial possibilities. They have

concerned themselves virtually throughout their formation accordingly with three conditions that have deep racial definition: first, with regulating migration and immigration, not least with the labor supply and labor costs in mind; second, with shaping social, and particularly sexual, interaction with the view to sculpting the face of demographic definition; and third, with controlling crime, predicated primarily in relation to property rights.

Capitalist states – or more carefully, states that operate in the terrain of capitalist economic formation and a more or less expansive capitalist world system – nevertheless are not simply reflective of capital's interests. Indeed, one could make the matter more complex still by insisting that capital's interests are never single, and often not unitary, either intra- or internationally.² Capitalist states are capitalist, as Poulantzas points out, not for their class composition – not simply for representing the interests of the capitalist class. They are capitalist rather for occupying a particular “objective” structural position in virtue of reproducing an historically specific and internally contradictory mode of production, locally and globally (Poulantzas 1969: 73; Holloway and Picciotto 1977: 4–6).

There are times states have insisted on representing or mobilizing interests antithetical to those of capital. Particular states, for instance, have insisted upon working protections and improved living conditions for the working classes over bourgeois objections. Many states regulate im/migration even in the face of labor shortages that would drive wage rates and so labor costs up. And many support greater leisure as a mode of social control in the face of pressures to extend the working day, while recently some economically developed states have moved at least nominally to equalize wage rates across race and gender.

A state can be called capitalist, then, primarily in the structural sense of enabling the reproduction of capital overall, of mediating in some general and contingent sense the contradictions capital and its fractious factions almost inevitably generate. So states are not in any narrow sense functional for capital's reproduction, or for the extension and expansion of accumulation. Rather, capitalist states constitute at most the terrain of struggle over the range of selected strategies (what Jessop calls “strategic selectivity”) for capital's reproduction and accumulability locally and globally, short and long term. They offer the field for fashioning the sort of underlying hegemony, the (re)production

of consent, that would sustain overall such reproduction and accumulation across classes (Jessop 1990: 9–10).

Thus, as Comaroff concludes, “the history of governance is irreducible to the history of political economy or vice versa” (Comaroff 1998: 338), though they do, and interactively, set horizons and so define the range of possibilities available for each other (cf. R. Williams 1981: 83–9). States of governance and political economy offer for and in relation to each other the limits of conceivability and possibility rather than the specificities of their discretely or mutually produced outcomes. State institutions seek to control capital's resources to their own political ends, just as the representatives of capital undertake to bend the state to its instrumental concerns. They do so not least by attempting to massage the contradictions within and between capitals and their fractions so that these tensions remain productive rather than implosive.

Where Marxists like Poulantzas theorize the state as “relatively autonomous” from infrastructural material production, then, they still maintain the primacy of the mode of production in setting the limits of social conception and comprehension. State derivation theorists, for instance, insist that the political and its expressions are derivable from the forms capital and the economic assume at any historical moment (Holloway and Picciotto 1977). This is preferable perhaps to liberal political theorists such as Habermas, Offe, Rawls, or Kymlicka who claim to theorize the political in almost complete absence of discussion regarding capital formation and accumulation. Yet in shaking social theory loose of these moorings, in undoing the hold of the base-superstructure metaphor on thinking the social, “relative autonomy” should not give way to thinking of material production, politics, and economics totally autonomous or independent of each other. Rather, the shift makes the causal connections multidirectional and historically specific. Thus it no longer is necessary to maintain determination of the state by the interests of capital “in the last instance.” There are historical moments when the forces and resources of capital have been deployed by design to reproduce the conditions of sustaining the racial state – the racial conditions of the state – either generally or in a historically specific form like apartheid even to the detriment, short or long term, of capital's interests.

The *relative autonomy* of state and capital, accordingly, concerns their autonomous logics. These in turn prompt the possibilities of

state and capital defining themselves in and through each other, their strategic deployment in relation to each other, their strategic selection of elements from each other necessary for their existence and survival or to craft outcomes each defines in its best interests. But relative autonomy here concerns also the relative "need" to define themselves through – and so by means of the terms of – each other (cf. Jessop 1990: 83–4). Neither economic nor political spheres are inherently privileged, though both at least are necessary, and mutually so. To these historically specific and so contingent purposes, the state and capital (and to these one could add law and culture) look to mediating terms to effect a language of mutual comprehension and deployability, and of common practice. They are, in short, terms of reasoning – logics – that make it look like they are at one, of a piece, engaged in common projects that are seemingly the product of common sense. People after all do not live out their economic, political, social, legal, and cultural lives discretely but interactively, in interconstitutive and mutually determining terms.

It must be insisted relatedly that the racial state is racial not *merely* or reductively because of the racial composition of its personnel or the racial implications of its policies – though clearly both play a part. States are racial more deeply because of the structural position they occupy in producing and reproducing, constituting and effecting racially shaped spaces and places, groups and events, life worlds and possibilities, accesses and restrictions, inclusions and exclusions, conceptions and modes of representation. They are *racial*, in short, in virtue of their modes of population definition, determination, and structuration. And they are *racist* to the extent such definition, determination, and structuration operate to exclude or privilege in or on racial terms, and in so far as they circulate in and reproduce a world whose meanings and effects are racist. This is a world we might provocatively identify as a *racist world order*. But more about this in due course.

Racial Subjects, Racial Selves

Althusser's work on ideology and interpellation made it possible to think anew about subject formation in relation to the state, a question that had largely been buried within the Marxist corpus and political theory more generally. It was Althusser's insistence on the importance

of this question that rendered recuperable Gramsci's concern with hegemony, thus refocusing the problem of ideology at the interface of the social and the self. These concerns were rendered central for racial theorizing in a genuinely new way by Stuart Hall's timely interventions in the late 1970s. Hall first demonstrated the importance of notions like "articulation," "societies structured in dominance," "hegemony," and the historical contingencies of "racial formation" and "racializing" for thinking about race. And it was Hall who insisted on the importance of Gramsci in theorizing race and ethnicity (Hall 1978, 1980, 1986/1996).

Stuart Hall, I am suggesting, was formative in rendering fruitful for racial theorizing central and non-reductive aspects of contemporary Marxian conceptualization. Yet he demonstrated also the productivity for understanding race of notions Foucault had shown to be key in thinking the social (Hall 1996). Until the late 1970s racial theorizing in the critical tradition had been dominated by Marxist interventions, on the one hand, and race relations theory, on the other (cf. Zubaida 1970; Rex and Mason 1986; Miles 1993). One of Foucault's theoretical motivations in mobilizing a notion of governmentality in light of concerns about modernist political theory was precisely the presumption, prevailing for liberal and Marxist political theory alike, that repression was institutional, imposed politically by the state, from outside the subject, in a sense from above. Foucault encouraged a shift to thinking about the interiorization of surveillance and discipline, the auto-production of security in part by citizen-subjects themselves. "Governmentality" made it conceptually possible to demonstrate the effectiveness of social power upon, through, and by subjects in their self-making without reducing such power to the often questionable assumption of institutional state imposition.

Racial rule is caught always in the struggle between subjection and citizenship, as Comaroff (1998: 329) characterizes the contradiction of colonialism (Cooper and Stoler 1997). In the case of racial governance, this (set of) tension(s) is "resolved" pragmatically though always contingently in different directions for racial rule naturalistically predicated than for the historicist. Under naturalist regimes – those defining their marginalized subjects as inherently inferior – this dilemma between social belonging and its conditions of enactment tends to be fashioned in terms of the terror of abject subjection, of physically threatened and imposed violence. This is a belonging conceived only as property

relation, whether enslavement, debt peonage, coercive contractual work, or nominally waged labor.

For historicist racial regimes, by contrast – those conceiving their racially identified subjects as historically differentiated in maturity and development – the tension is played out formatively in favor not principally of physical terror but rather the (never to be?) fulfilled promise of citizenship. Here social belonging does not privilege some form of property relation but the deferred longing for a common humanity ideologically fashioned. If for racial naturalism the inherently inferior could never qualify for citizenship, for racial historicism racial subjection was effected through the holy grail of legal citizenship and its attendant rights (Comaroff 1998: 339). Citizenship was a status and standing not only never quite (to be) reached for the racially immature but for whom the menu of rights was never quite (as) complete. Even *within* naturalist and historicist scope, the multiplicity of the dimensions as well as the variability in styles of rule imply that the modes of racial rule and regulation are never fixed, given, or singular, but multiple, shifting, site-specific, temporally and discursively defined.

So subjection is internalized and to that extent seemingly self-designed and fashioned. The racial state, thus, could be said to strive for a racial subjection which, though usually perceived as externally imposed upon subjects, actually is self-fashioned and promoted. "Racial subjection" seeks as such to turn imposition into self-assumption, assertive charge into autonomous, self-imposed choice, harness into hegemony. Thus, there is no clear-cut contrast between state and individual, between asserted institutional power and capillary governmentality. Foucault shows, in short, that the distinctions between the state as institutional power and power vested in and through the state of being, between "what is within the competence of the state and what is not, the public versus the private," are fictions of modern sociodiscursive formation (Foucault 1991: 103).

All modern states – not least the colonial, as Comaroff comments, but one could extend the point to cover the racial state more extensively also – exercise themselves in good part by way of the capillary, by local instrumental and institutional forms of coercion, physical and symbolic forms of violence. They trade on various more or less implicit modes of discipline and surveillance, and on hegemony as the fashioned and diffuse production of consent (Comaroff 1998: 338).

This represents a project of governance that, even where relatively effective from the point of view of racial rule, was never quite complete. One might say it never could be complete, for subjection in both (and related) senses of the term promotes its resistance; imposition from the outside – the external – calls forth at least redefinition internally, in terms of the already (pre)existing sum of defining conditions of the self, and at most outright, explicit rejection, denial, dismissal. The self accordingly is always caught – split – between the past and the present, the self itself (so to speak, as already socially defined and conditioned) and the social, between self-assumption and imposition, in short, between "my"-self and its other. This is especially so in the context of race: race as socially (and state-) imposed and as taken on "freely," assumed as a project, as a self-making.

One little-emphasized implication of Foucault's focus on governmentality, on the logics of (self-)governance, and on the interiorization of state power and subjection, I want to suggest then, has been to collapse the artificial distinction between ambiguous meanings of the public: as civil society and as state power, of individuals acting "in public" and of the "res publica," of economy and society, and state formations as discrete entities somehow acting upon each other rather than as mutually and depthlessly defined. In the sense I am suggesting, economy and society, private and public spheres are co-constitutive of the possibilities even of their distinction. Kim Crenshaw shows that segregation in the United States, historically and contemporarily, is sustained by the legally maintained and managed distinctions between formal and informal racial distinctions, and between public and private discriminations (Crenshaw 1998: 286). In a deep sense, then, the "publics" of public spheres, public goods, public sectors, and public culture are not as distinct or as discrete as the obtuse literatures constituting them often would have it. Race, I am insisting, makes it less easy to sustain (as discrete and distinguishable) the seams between civil society, public sphere or sector or goods or culture, and governmentality. Race is co-defined by such domains in the particularity of its local expression and significance. What makes this more complex, though, is that race simultaneously serves to cohere these domains, to imprint upon them their seeming specificity, the mark of their common state(d) definition.

It follows that race is more than simply threaded through the fabric of modern and modernizing racial states. States are drawn into racial

frames of reference, into the rings of racial globalities, in entering into the circles of modernity, in becoming modern states. Race then is not a premodern condition but a quintessentially modern one masquerading in the guise of the given and the ancient, bloodlines and genetic pools. States have acquired their modernity more or less and partially through racial assumption, through being drawn into the terms and forms, shapes and spaces, temporalities and rhythms of racial world ordering and world racial definition.

The historical trajectory of the colonial state developed in relation to European discovery, pacification, commerce, and rational administration of non-European peoples (Comaroff 1998: 323ff.), of those deemed without history and culture. By contrast, the genealogy of the racial state, as I have surveyed it in previous chapters, is more complex. Obviously it includes, precisely because implicated in, the colonial trajectories identified so insightfully by Comaroff. But the racial state cannot be delimited to its obvious colonial form. There are two conceptual reasons for this beyond the clearly political one that to do so would be to bury responsibility for the racial state in and with a colonial past that even where transformed leaves its traces, more or less firmly imprinted, upon the present.

First, as I have insisted, the racial state trades in its emergence on the shaded space between the state as lived condition and the more formal mode of governance, between subjection in the sense of existential constitution and subjection as a mode of governmental imposition and political constitution. Gramsci captures this connection between the political sphere, civil society and coercion in his classic formulation of the state: "state = political society + civil society, in other words hegemony protected by the armour of coercion" (Gramsci 1971: 263). The state as institutional governance depends for its functionalities on the embodiment and reiteration in everyday practice of micro-informal expressions, of assumed states of being, a fact upon which dispositions to resist have long traded, as James Scott notes (Scott 1998: 6). The racial state accordingly is the embodiment, the exemplar par excellence, of the shift in theorizing the political from institutional forms to governmentality, from politics as domain and discipline to politics as disciplinary practices embedded in the everyday. Thus it must be presumed to outlive its colonial expression not least because in penetrating the everyday the racial state was destined to "survive" its institutional forms.

Second, and this by way of periodization, the racial state at least in its emerging form as a set of assumptions about the nature of being and living was deeply implicated not only in fashioning and effecting the outcome of the colonial imperative but in making it conceivable. In short, the presumption of the racial state, as we have seen in earlier chapters, opened up the possibility of thinking the colonial project at all. As sets of institutions, and as ways of thinking and institutionalizing the governance of societies racial in both their metropolitan and their colonial expression, racial states emerged materially out of, as they were elaborated in response to, the "challenges" of colonial rule. And so conceptually they gave rise to conceiving the possibility of the colonial, while they emerged institutionally in elaborating rule in the colonies and – though less visibly but at least as presumptively – to mark the nature and scope of metropolitan societies in Europe too. Racial states accordingly have shaped the possible and marked out the impossible in the latter also. The charged atypicality of the Irish or Jews in the European context, for instance, is comprehended and sustained only by identifying each respectively with and in terms of the conjunction of blackness, (European) femininity, and the lumpenproletariat, as chapter 3 above revealed in Carlyle's case.

The (racial) state, in its institutional sense, must be seen thus not as a static thing but as a *political force* fashioning and fashioned by *economic, legal, and cultural forces* (forces of production, of sociolegality, and of cultural representation). It is a player not just in productive, distributive, circulating, and consumptive patterns and tensions, and in their reproduction. It has been central to political contestations over control of the materialities of society but also (and especially) of its own instrumentalities, its means and modes of rule and representation, of social supervision and control, over the style and substance of social governmentality. In short, the state is a contestant in the markets of representation, of who speaks for whom and in and on what terms.

Racial Governmentalities

In their particularities, then, racial states oversee a range of institutional, definitive, and disciplinary practices. They are engaged in definition, regulation, governance, management, and mediation of racial matters

they at once help to fashion and facilitate. For one, racial states *define* populations into racially identified groups, and they do so more or less formally through census taking, law, and policy (the scope, styles, and effects of which I engage in chapter 7 below), in and through bureaucratic forms, and administrative practices.

Second, racial states *regulate* social, political, economic, legal, and cultural relations between those racially defined, invariably between white citizens and those identified as neither white nor citizen, and most usually *as black* (or more or less *with blacks*³). These are relations more often than not tense and internally fraught, exacerbated by their racially imposed character. The racial complexity may be intensified by the fact that their shape is determined in part by the externalization of tensions, ethnically or nationally or in some other sense politically defined, within and among those competing for the benefits, privileges, and profits of whiteness. Historical examples of these intrawhite tensions abound: between northerners and southerners in the US, between Afrikaner and those of British background in South Africa, or between Flemish and Walloon, Dutch- and French-speaking in Belgium.⁴

Relatedly, racial states *govern* populations identified in explicitly racial terms. The identification legally and administratively of groups as inherently inferior or historically immature, as native or indigenous to colonized spaces, is taken invariably to entail – *to require* – their management and oversight. Such regulation commands not just what the racially regulated can do but where they can and cannot go, what educational institutions they can access, with whom they can fraternize, and where they can reside. But it commands also under what conditions the racially marginalized are profiled and criminalized – which is to say, subjected to surveillance and suspicion, punished, imprisoned, placed on probation, and paroled.

Fourth, racial states *manage economically*. They oversee economic life, shape the contours of racially conceived labor relations, structure the opportunities or possibilities of economic access and closure. To these ends, racial states will intervene to secure the conditions for the reproduction of capital not least by ordering resources and attempting to ameliorate tensions threatening the conditions for capital's expansion externally and internally. Thus states 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. 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 materiel. And as I have insisted, racial governance accordingly assumes different forms under naturalist and historicist presumption: most notably, slavery, segregation, and forced labor in the former mode; assimilationism, indirect rule, and developmentalism in the latter. Thus the racial state participates in, as it promotes, racial rule – whether locally or at a colonial distance. It rules not just through labor regulation but by insisting on managing most if not all forms of exchange, commerce, intercourse, raw materials, production, trade, markets, labor circulation, distribution, and redistribution. At the extreme, then, the racial state is a peculiar sort of totalitarianism, seeking (only more or less successfully) to pervade all social forms, institutions, and expressions.

These considerations again reveal the irreducibility of the political to the economic. States may enact policies, rules, and instrumental modes of operation conducive not to the maximizing of surplus value, short or long term, but in the name of some politically driven logic like maintaining security, or white supremacy, or “principled” racial segregation irrespective of the duplicate costs it entails. In fact, it is specious to think that the cost–benefit calculation can be divided so discretely between the economic and the political. The fine line between the two likely collapses in the face of the calculation, just as it is manufactured by and in the interests of those whose power is identified artificially on one or other side of the dividing line.

Finally, racial states not only regulate but also claim to *mediate* relations between those (self-)identified as “white” or “European” and those declared “non-white” or “Native.” Such mediation manages disputes and conflicts over land, labor, and mixed-racial intercourse, socially and sexually. As adjudicator, the state claims a nominal neutrality. Yet its actions historically have been largely partial. In reproducing a racial system, a mode of being and governance, the actions of racial states are representative mostly of those belonging to the ruling racial class, whose racial status as privileged – indeed, as ruling – the state in its racial configuration has helped to define, refine, and promote.

In a remarkable admission, Judge William Harper reveals in a South Carolina case of 1835 the intricate ways in which racial definition and

regulation, governance and potential mediation run together. While claiming the mantle of legal neutrality and impartiality, Judge Harper's judgment subtly reveals the contorted but calculated depths of racial configuration and management:

We cannot say what admixture of Negro blood will make a colored person. The condition of the individual is not to be determined solely by distinct and visible mixture of Negro blood, but by reputation, by his reception into society, and his having commonly exercised the privileges of a white man . . . it may be well and proper, that a man of worth, honesty, industry, and respectability, should have the rank of a white man, while a vagabond of the same degree of blood should be confined to the inferior caste. It is hardly necessary to say that a slave cannot be a white man. (Quoted in Williamson 1995: 18)

While raising the challenge of mixed-race manifestation to the logic of race manufacture generally (Small 2001), Harper's remark at once tellingly acknowledges the importance of race making and ranking to modern social management and disciplinary control, of population definition and a relatively engendered inter- and intraracial privileging. As early as 1681, for instance, the state of Maryland had legally restricted slavery to those not white, and defined race according to maternal lineage, signaling early on the centrality of gender to racial reproduction.⁵ In the case of racial states this racial privileging has almost always historically prevailed. It raises the question accordingly whether the racial state is *necessarily* representative of the interests of the ruling racial class – defined as whites, Europeans, or those of European descent – and thus inherently implicated in racial subjugation and exclusion. In short, is the racial state inherently a racist state?

Racial States and Racist States

Racial states employ physical force, violence, coercion, manipulation, deceit, cajoling, incentives, law(s), taxes, penalties, surveillance, military force, repressive apparatuses, ideological mechanisms and media – in short, all the means at a state's disposal – ultimately to the ends of racial rule (Comaroff 1998: 324–6). Which is to say, to the ends of reproducing the racial order and so representing for the most part the interests of the racial ruling class. And as Judge Harper so bluntly

reveals, this entails in the history of fabricated racial configuration that racial rule by definition serves the interests of those conceived as white. "Whiteness" then is not some natural condition, phenotypically indicative of blood or genetic or intellectual superiority, but the manufactured outcome of cultural and legal definition and political and economic identification with rulership and privilege. If we go by history – and in this instance what else is there to go by? – then in class terms whiteness definitionally signifies social superiority, politically equates with control, economically equals property and privilege.

This equation of racial states with privilege and power requires qualification. Clearly, the racial powers and privileges of whites are magnified or tempered by class position, gender, even the standing of and within a nation-state. Thus those otherwise considered (as) white in the scheme of common sense who occupy social positions of disprivilege or disempowerment become referenced precisely as less or other than white. They are characterized with the likes of "white niggers" or "half-niggers," as "temporary Negroes" (Dollard 1937/1988), "hunky" (Hungarian), "dago" (Italian), "polak" (Poles), "spicks" and "kikes" (Jews). The characterization in an 1898 debate over the disenfranchisement of Italians in the US exemplifies the power and (dis)privilege at work in racial identification: "according to the spirit of our meaning when we speak of 'white man's government,' [the Italians] are as black as the blackest negro in existence" (quoted in Cunningham 1965: 34; Barrett and Roediger 1997: esp. 9).

It follows that the racial state is at once implicated in the possibility of producing and reproducing racist ends and outcomes. Race has been invoked normatively in institutional terms and state contexts almost always to hierarchical purposes. This fact deeply delimits the taking up of race as an organizing theme to anti-racist ends. It is not simply the invocation of race per se that is fraught with this danger, for as historically contingent on social determinations race conceptually is open to the ends of anti-racist mobilization. Rather, it is the deep historical implication of race in state structure, its relative penetration of state definition, organization, and determination that delimits its resistant potential even as it renders strategic racial invocation essential. It means that race can be mobilized to anti-racist purposes at best only as a short-term and contingent strategy. We have witnessed the limits of affirmative action recently in just these ways, for instance. The effects of anti-racist race mobilization have

tended to be ambivalent and ambiguous. In invoking the very terms of subjugation, in "standing inside them" (Goldberg 1993) to transformative purposes, racial invocation likely reinscribes elements of the very presumptions promoting racist exclusions it is committed to ending. Hence Sartre's struggling over what in *Antisemite and Jew* he nominates "anti-racist racism," the conceptual contradiction hinting at the pragmatic tension.

We might usefully bear in mind here the distinction Etienne Balibar insists upon between "*official State racism*" and "*racism within the State*," between what Balibar characterizes as the "exceptional state" and "exceptional moments" of the normal state (Balibar and Wallerstein, 1991: 39, Balibar's emphasis). A state may license racist expression within its jurisdiction simply by turning a blind eye, by doing nothing or little to prevent or contest it, by having no restricting rules or codes or failing to enforce those on the books. By contrast, a state like Nazi Germany, apartheid South Africa, or Jim Crow Louisiana may assume racism as a state project, definitive of state formation, articulation, in a word, (national) state identity. As I have argued, between the two instances lies a myriad of racially articulated expressions both licensed and practiced by state mandate. One set of examples concerns the racial characterization of the criminal classification system (i.e., activities or profiles associated with a devalued racially identified population treated more harshly than otherwise comparable activities or profiles of those not so devalued). Another covers civil service job classifications (e.g., white prison guards of predominantly black prisons in states with a long history of racist structures most notably in the criminal justice system; white truck drivers and black manual workers; white male bosses and black female clerical staff).

In these many micro-expressions, as well as more explicitly at the macro level, the racially conceived and reproducing state is characteristic of, not exceptional to, modernity. Modernity is defined by racial conditions even as it characterizes those conditions as abnormal or exceptional. So while *racist* states may seem exceptional, their very possibility is underpinned by the normalcy of the *racial* state. But there does remain a difference, captured by Balibar's distinction, in degree if not kind between states in and through which race is sewn into the social fabric by way of racial routinization and those where racist exclusion is explicitly defined as *the* principal (and "principled") state project.

Racial invocation by the state and definition of the state by race, it follows, almost invariably restricts the range of critical intervention and transformative potential to a dualistic and mutually exclusionary choice. On one hand, it elevates the narrowing naturalization of the assimilationist or integrationist; on the other, it begrudgingly spawns the separatist (in the Black Nationalist contrast to the segregationist). Ranging between the promisingly reactive and a reactionary politics, race-based anti-racism may be pragmatically necessary in some historical moments, but it clearly reifies under the weight of its own logic into racial essentializing once those historical openings close down. It is for just this reason that both Angela Davis and Philomena Essed strongly urge political mobilization around common *political* interests rather than preexisting or prefashioned common identities. Here, the common identity is to emerge out of the mobilization rather than essentialistically (and so exclusionistically) giving rise to it (Davis 1998: 319–20; Essed 1996: 109–10).

Racial Penetration, Racial Routinization

In Foucauldian terms, the state not only invades the body of subjects. It goes a long way in making bodies what they are, and by extension who they are. It is thus instrumental in subject formation. The more the racial state is implicated in fashioning the form and content of subject formation, the more it penetrates into everyday social life, and the greater the hold of race over the social horizons of the conceivable. Consider how the racial state defines, manages, and regulates family formation: who can form a family racially, who can belong to a family, who can marry, how the offspring will be defined and designated racially and so what the life opportunities are for them. Women thus are implicated in reproducing the nation-state's population, its citizenry (though even this might become contested technologically before too long). Again, examples are numerous: The 1950 Mixed Marriages Act in South Africa prohibited not just interracial marriage but any inter-racial sexual activity. The Serbian men who impregnated while raping Bosnian and more recently Kosovan women of Muslim background were self-consciously pursuing a policy of diluting the "national stock," at once mockingly reducing Muslim men to a sense of impotence. Anti-miscegenation laws abounded throughout the colonial and then

state legal codes of the American South until they were called into question in a 1948 California case, *Perez v. Sharp*, and then ultimately rendered completely unconstitutional in 1968 in the appropriately named *Loving v. Virginia* (see Furumoto and Goldberg 2001).

The racial state sets limits on social possibilities, or enacts them, not just formally through law but through *routinization* (Omi and Winant 1995: 85; Comaroff 1998: 331ff.; Hesse 1999: 122ff.). Rendering these practices normal by their routine repetition hints at their presumed naturalization; they are taken as given and therefore (in the collapse of social imperative into the natural) coterminously unalterable. Besides sexual routines, permissibilities, and prohibitions, the examples are more or less pervasive. Consider birthing practices licensed and prohibited. Similarly, birth certificates define what and how one is named and thus recognized legally and administratively (Scott 1998: 3–4), how such recognition or its failure furnishes social standing.

Nevertheless, racial routinization in states that are more or less racially predicated runs deeper still by invading all aspects of sociomaterial life. It colors childrearing (members of “races” regarded as “alien” or of “lesser value” in Nazi Germany were forced into abortion, castration, and sterilization), schooling, recreational activities like sports, and recognizable religious practice. It manifests through marriage licensing and annulment, technical training and higher education; through spatial design and control, especially urban planning, apportioning residential and labor spaces, and relatedly property ownership; as well as through laboring conditions. In the extreme instance, again, the Law for the Reduction of Unemployment introduced by Hitler in 1933 extended marriage loans to citizens the conditions for repayment of which they could satisfy by producing children. As Burleigh and Wipperman (1991: 46) note, this law was designed to effect three principal outcomes: to multiply a “pure” German population, to reduce unemployment of men, most notably, by forcing women to return to their traditional maternal roles. As examples such as these reveal, racial routinization is reproduced in temporal templates, marking life by a racial brush from early childhood, for example, through health practices such as inoculation injections; driving, drinking, and conscription ages; as well as voter registration and voting rolls. And racial routinization is licensed materially in the card of identity registration that serves as the codification and so condition of these social acts and duties, responsibilities and rights, all of which are more or less racially thick.

The routinization of race silently in social life is reproduced also through criminalization, taxation, retirement, death, burial, and inheritance formalities, all factors the state regulates or oversees, manages and mediates. In short, the modern state has come to enact racial configuration in virtually all, or at least all significant, social practices and conditions, markers and indices from birth to death and burial, from the personal to the institutional. The more penetrating racial categories are in a state’s lexicon and bureaucratic practice, the more such practices routinize racial reference and social shaping.

Thus all these domains and practices, conditions and regularities, codes and orders come at various moments in modern states to be racially conceived and enacted, ordered and structured, produced and reproduced, color and culture coded. They constitute regulative and regulated regimes in good part through state administrative apparatuses like the census, tax forms, passports, lending and banking practices (Scott 1998). In short, the exercise of racial states in the merging of their institutional forms with – their penetration into – daily life renders the trace of the state’s racial dimensions relatively invisible. Racial regulation is reproduced through routinized governance of/over family, civil society, labor and markets, private and public morality, ownership, public monuments and parades, open and closed ceremonies, common and commonly restrictive and restricted social practices in living and in death (Comaroff 1998: 337–8). In racial states, as Benjamin Disraeli commented over a century ago, all comes to be race. And in the twist of their most extreme manifestations, in the penetrating institutionalization of race, race comes to be all.

One should be careful here, however, as Foucault and those he has influenced have emphasized, not to reduce all subject formation and subjection to the political, directly or indirectly to the state institutionally conceived. This is a position one might call politicism or statism in the face of economism. Subjection in both senses is at least multiply, and most likely over-, determined, often (though *pace* Foucault also not completely) internalized. So social subjection (mostly) becomes self-regulating and self-directing. The institutional state assumes as its necessary condition the state or condition of being, of lived culture and cultural life, the imposed becoming the self-chosen, the fabricated the given, the historically fashioned the state of things, the social the natural. If there is anything approaching a “national character” perhaps this is all it amounts to, the (informal) codification of the

cultural characteristics and values of a dominant or majority group whose definition is state related or directed. Again, imposition may be more or less violent, more or less coercive, more or less subtle. Coercion is more the former in the case of naturalist racial regimes, sustained principally by repressive apparatuses, while more the latter in historicist ones, reproduced largely by ideological and discursive apparatuses though underpinned always by the threat of repressive violence.

Racial Assertion and the Nation-State

Race and nation

These remarks raise the distinction between race and nation. Race may be thought of as the social or cultural significance assigned to or assumed in physical or biological markers of human beings, including the presumed physical or physiognomic markers of cultural attributes, habits, or behavior. Nation, by contrast, is the significance of cultural markers as assumed or assigned (imagined) indicators of common originary belonging, where race (or ethnicity, as cultural socialization) might be one of those (imagined) markers assigned significance or dominance in picking out members. Where this is so, race and nation overlap, more or less isomorphically.

It is worth observing that race (or ethnoracial identification) has a thickish history of being legislated – directly, baldly, and in its own (mostly unmediated) terms. Nation has not been so legislated, at least not directly and unmediated. Thus the restrictions of immigration law historically have been predicated in terms either of ethnoracial identification or state origin. Here the reference in some laws to “national origin” is actually to where people were born, or the citizenship they hold. This difference between race and nation has to do with the very basis of their conception. So it is thought possible to legislate race directly, in its own terms, in ways nationhood is deemed not so amenable to legislation (in contrast to nationality, which really is the legislation of state belonging and potential access to state rights, privileges, and resources). This difference in legislative amenability may have to do with the privileging of a presupposed physical optics thought to make racial identification accessible in ways the cultural references of nation are not (or less so). The former is imagined to have a

“substance” available to the latter only through some more readily questionable idealist metaphysics. German law, for instance, establishes German national belonging only in virtue of marking nationhood in racial terms. German origin is defined as the claim to German blood. Belonging to the nation is a matter not just of being born in Germany but of being born to parents whose blood or genes awkwardly are considered “to run German,” who in that sense are “racially” German.

Racial assertion

The German citizenship codes make clear that it is the business of the state to state, of authorities to author the law, to assert themselves (Comaroff 1998: 340, 342). Historically, it has been the business of racial states to assert themselves – to state their conditions – racially. It has been their business to generate the possibilities of their boundaries in no more or less than racial terms. I will argue in chapter 8 that the institutionalization of race by the state, its routinized assumption in the structure of state institutions, has made it possible for contemporary states to assert themselves racially without explicit invocation of racial terms. The racial state, then, is never complete, always (as Comaroff says of the colonial state; 1998: 341) on the make, a work in progress, a Sartrean project. This is necessarily so in the case of racial states not simply because race is, as the cliché says, socially constructed. It follows multiply and interactively from the very interface of the state and race.

The state is a condition of assertion. As a prevailing form of power it is, and necessarily, the effect of constant reassertion. This reiteration is required in so far as the state provides the principal modern institutional sites through which social status is claimed, and the gains of status quickly dissipate if not guarded, in the absence of their reassertion. The state then can never not speak itself, for as soon as it stops stating itself, so to speak, it ceases to be a state. Likewise, in so far as race in its status claims is dialogical and ideological, discursive and illocutionary, it presupposes for its enactment its assertibility, its required capacity at every moment of being stated. Thus, in the face of its own social silence race ceases to reproduce itself; it cannot reproduce and replicate *sans* the state, in the absence of its more or

less invisible institutionalization. But once institutionalized in and through the state, the state now racially conceived cannot speak, cannot state itself, other than in the terms of race. So modernity's race to the state became at once the stating of race, its institutional assertion. Race stated, in short, is the state raced.

To say this, however, and once again paradoxically, is to give the racial state perhaps too much coherence. For, as I have argued above, the state may be thought of as the phantom of governance and authority, a territorial placeholder for sets of often competing and more or less local institutional interests and powers. In this sense, the state provides media and a measure of scope for the assertion and authorization, legislation and legitimization of institutional power(s). The latter two institutional practices offer to the former two a semblance of coherence, a singularity of style and voice, a common language and mode, the shadow of an institutional sphere in the face of prolific heterogeneous messiness. They offer, that is, the artifice of national, cultural, expressive unity – comm-unity – in the face of fractured disunity and anarchy, the artifice of homogeneity in the face of proliferating heterogeneities.

Comaroff distinguishes between colonizing states in Europe that concerned themselves in their metropolitan conditions with "manufacturing homogeneity" and colonized states devoting themselves to "managing difference," regulating the threat of heterogeneity, of anarchy (statelessness) (1998: 329). Fabricating homogeneity in the metropoles, at home, it might be said, was predicated upon displacing heterogeneity to the outside. Colonized states thus were initially shaped to represent racial otherness as exteriority. Conceived as embodiments of material states, they were considered in naturalist terms to lie outside the civil(ized) societies of metropolitan order. As the colonies became increasingly sewn into a world capitalist system (offering raw materials, consumptive agricultural products, mineral wealth, and markets) and as colonial governmentality took shape over time (offering employment, opportunity, adventure, excitement, and the exercise of power), managing heterogeneity shifted from the semi-avoidance of exteriority to the regulative and ordered intimacy of "containerization" (Tilly 1994). The shift transformed unknown objects of adventurous discovery and examination into elaboration of a logic of colonial rule, first through imposing direct rule and later mediated via indirect management of more peripheral units in a growing global

order. The colonial state accordingly turned "savages" dialogically and governmentally first into "colonial subjects," by subjecting them to colonial rule and regulation, and then again into "units of labor." And in doing this, the colonial state transformed "savages" ironically into legal persons (cf. Baker 1998).⁶ The ambivalence of colonial subjectivity is revealed here, for "legal persons" were extended little more than formal personhood. These are persons for or really "before" the law, regulable units or administrative entities rather than fully human beings.

The modern state may be conceived accordingly as a container. It has enabled the internal dynamics of modernity to be played out by offering not just a backdrop for pressing modern tensions but structural constraints on their explosiveness, and so on the scope of their effects. These are the tensions between futurism and nihilism, revolutionary zeal and conservative denial; between technological imperative and anti-technological commitment; between a retrospective *ancien régime* and a prospective avant-garde; between repression of the new and its celebration; between fixity and the given in tension with flux and change, speed and motion. The modern state is tied then to a fixed mode of managed accumulation with the logic of production largely dictating the limits of circulation, exchange, and consumption.

In their racial framing, thus, the freedom of the modern state (and perhaps this is the state condition generally) is necessarily illusory. It is predicated always and necessarily on an unfreedom both for those ruled and for those ruling. Racially ordered and manifested freedom – the freedom of whites, historically speaking—accordingly is no freedom at all. Power, generally, and racially predicated and ordered power particularly, requires always its own reproduction, its reiterated assertion, freedom's necessity a logic of determination that at once discounts the freedom such necessity dictates (cf. Butler 1997b).

Relatedly, as states have increased their scope and range, their growth in institutional determination and (formal) authority over the lives of their inhabitants – both citizens and non-citizens, those in and out of the state alike – de facto control, efficiency, and effect have diminished (Comaroff calls this "the Minogue Paradox"; 1998: 336). There is, one could say, a point of diminishing returns, a marginal effectiveness of rule. The more repressive, the more likely resistant. And the more cemented, the more internally cracked. This is especially so regarding racial repression and rule. States, as Weber famously insisted, are

those institutions effecting a monopoly over the legitimate means of physical force. Thus the greater state insistence on effecting and exercising such monopoly, the more visible. The greater the violence states promote in everyday life, the more they have to resort to threatened or explicit violence as the mode of rule. And the more violence becomes a norm, the readier those within and without the state are loosened if not licensed to resort to forms of personalized and anonymous violence. This is especially exacerbated by racial terms for race, while making institutionally visible the perpetrators, picks out the objects of violence in emphatically identifiable ways.

In becoming systemic and institutionalized, racial violence effectively renders its perpetrators individually irresponsible, in both senses of the term. If racial violence is normalized as a given of daily life, individual responsibility is abrogated either to invisible social forces (ancient histories of antagonism, poverty of culture, etc.) or to errant individuals. The perpetration of racial violence in the state's name is clouded over, mediated, rationalized away by those reserving (relative) humanity or progress to themselves while cast(e)ing off or out as in- or less human the objects of the violation and as exceptional the particular perpetrators. Racelessness, or colorblindness as a particular expression, as we will see in chapter 8, is the project to reinstitute the relative invisibility, the anonymity, of racial rule in the wake of its postcolonial and globalizing excavation.

Laying Down Racial Law

Racial states attempt accordingly to assert themselves, to regulate through the rule of race, to impose race upon a population so as to manage and control, divide and rule. In these attempted assertions, though, racial states paradoxically divide by rule and so destabilize the very order they supposedly are designed to produce. In subjecting to (and through) race, states race subjection and so too cohere the response, reaction, and resistance by the terms through which they seek to repress. In insisting on the universalizing rationality of raced regulation, racial states delimit rationality to that of race, thus racially inscribing rationality and circumscribing reasonableness. In insisting on racial order, they impose racial violence upon the very violence they claim to be staving off, thus rattling the order they are seeking to

reproduce. In the final solution, to rule racial brutes that are brutish by state assumption – brutes, as Hobbes at the dawn of the modern state insisted, are those the modern state must necessarily exclude from its domain – the brutes must all be exterminated, materially or symbolically. And to do this in the name of – executed by – the written law of the state.

Modern states – and here racial states once more are the norm of modern statehood, not the exception – speak through the law, in legal codes and terms. The institutionalization of race in and through the state is a form of legal reasoning, as I elaborate theoretically in the following chapter. It consists in the claim to displace brutish custom, to substitute for the idiosyncrasy and variability of everyday practice the systematicity and normativity of written codicils, and the assertion of atemporal order. Yet the extermination of all the brutes in the name of the law, and the project to institute racial arrangements through law, can only be effected brutally. In seeking to exterminate brutishness – the self-professed racial project par excellence – the state necessarily reveals at once its racial conception and becomes nothing short of brutal.

As much as anywhere else, the Congo Free is the place where, in the name of racial naturalism, "exterminating the brutes" was both asserted – stated – and literally acted out. The Congo provided, after all, the ethnographic example for Kurtz's notorious exhortation in Conrad's *Heart of Darkness*. Leopold II, the self-possessed Belgian monarch, hatched his brutal colonial designs in 1877 on the Congo Free State upon which he proceeded to impose direct dictatorial rule as a personal possession, principally effected for his selfish entrepreneurial ambitions and profitable ends. To legitimize Belgian domination of the Congo basin in the name of "free trade," Leopold skillfully manipulated the Berlin Conference on African colonies in 1885, and by extension invoked to his own purposes Bismarck's reputation in Europe.

From the outset Belgian imposition upon the Congo implicated both the Belgian state and people, monetarily and in terms of personnel, socially and legally. The Congo Free State furnished Leopold massive personal fortune in the raw material of ivory and most notably natural rubber (fueling the bicycle tire industry). This wealth in turn funded a large public buildings works in and around Brussels, including the Royal Museum for Central Africa (Goldberg 2001a), all

glorifying Leopold's monarchy. Leopold's administration of the Congo had been under constant critical attack from as early as 1890 when the African American historian and activist, George Washington Williams, after visiting the Congo and witnessing abuses himself, wrote Leopold, the US President and Secretary of State in protest of the conditions he found there (Cookey 1968). Led by E. D. Morel, a British peace activist, a massive international campaign against Leopold's colonial rule in the Congo took off in 1903. It brought to light the enormous abuses, terror, and death executed at the hands of Leopold's agents in the Congo. And perhaps more pertinent in local Belgian politics of the period, it revealed Leopold's financial manipulation of the state coffers to his own colonial and local purposes. In 1908, faced by increasing international ostracism and growing debt, the Belgian government wrestled direct colonial rule of the Congo from Leopold's firm and direct grasp.

The Congo Free State – a more arrogant misrepresentation in naming a state does not exist – was ruled directly from Brussels, through the arms of a small number of European personnel, contracted bureaucrats, and mercenaries from Britain, Romania, and America, in addition to the majority of former Belgian military men. Guy Barrows, an American administrator in Leopold's employ, reports that in 1896 there was a total of 1,678 Europeans residing in the Congo, of whom a mere 335 served to administer a territory of 700,000 square miles populated by nearly 20 million indigenous people. The overriding mode of racial rule was depopulation along with the active deforestation caused by careless rubber-sap tapping. Rubber production in the Congo grew from 135 million tons worth half a million Belgian francs in 1890 to 5,500 tons worth nearly 50 million francs in 1904 (Nelson 1994: 84). But the human cost was almost inestimable. Between 1885 and 1920 it is projected that 10 million people died, murdered randomly and invariably on a whim, actively starved by state agents in the name of state policy and rubber collection, or left to rot from disease and decay, lack of food and declining birth rates. No woman was young enough to avoid rape (one especially infamous administrator, the cruel Major Lothaire, traveled nowhere in the territory without carrying with him a harem of around forty women, randomly killing or licensing the killing of countless Congolese). Men were removed of hands for failing to deliver impossible quotas of raw rubber. Children were orphaned because their parents were engaged

in or happened to be in the vicinity of rebellious activity. Genitals were strung publicly from washing lines as warning signs and sick spoils, skulls marking the boundaries of claimed colonial estates. The crazed character of Kurtz was an accurate, if amalgamated, ethnographic narration of Euro-Congo culture.

In the Congo Free State law existed only to administer the "natives." The state's Civil and Penal Codes were "confused collections of orders and decrees" by various officials, exercised with limitless latitude and abject abandon. Appeal to administrative rule was tolerated for whites only, and clearly no black person could bear witness against a white man (Burrows 1903: 270–5). An English steamer captain employed by the Congo Free State writes that, though he had observed few atrocities by whites himself, he had heard many reliable stories "of revolting atrocities committed by State officials, who if they were not acting under the orders of a superior, at least escaped any punishment, and were decorated by the King on their arrival in Brussels." Captain Andrew Jones adds that even though eventually outlawed, "the flogging of women was a common practice . . . like all the State laws it exists on paper only for their [colonists'] own protection" (appendix to Barrows 1903). The "atrocity business," as Barrows remarks, "was placed in the hands of the State" (Barrows 1903: 173). In the name of "bringing civilization to the Congo," an explicit assertion to this day publicly circulated in the name of the Belgian state at the Royal Belgian Museum for Central Africa in Tervuren, written law is no less brutish for its claim to technological advance. Indeed, we could say that it does no more than advance (the extremities of) racially imposed brutishness and brutality in the name of naturalism.⁷

Leopold's rule in the Congo arguably offers the initial example of intense genocidal practice that has come to mark the twentieth century. This was rule through racial terror, the active pursuit and more or less conscious and executed design of extermination. By contrast, the affair surrounding the flogging of Phinehas McIntosh in the British Bechuanaland of the 1930s exemplifies under the title of historicism and the civilizing mission of racial progressivism a different if relatedly ambiguous form of laying down the racial law.

Phinehas McIntosh, a young working-class and nominally white man, by all reports "lived native" in Serowe, a large village and capital of Bangwato, covering about half of the then British Protectorate of Bechuanaland (now Botswana). But for the British administrators

who lived in a separate compound, Serowe at the time was residentially mixed. A notoriously rowdy troublemaker, prone with his friends to drunkenness and physical abuse especially of local inhabitants, McIntosh was not untypical of British residents who took local mistresses as concubines (Stoler 1990). If he was untypical, it was in assuming the life of a local, in custom, dress, language (he spoke Setswana fluently), living arrangements, and social relations, actually, in all but the color of his skin. He acknowledged the children he fathered with a Serowean woman, and eventually respectfully recognized the authority of local rule.

Tshekedi Khama was a Chief who served as Regent in the area, standing in for his nephew, Seretse Khama, a minor who would later preside over Bechuanaland/Botswana. Tshekedi Khama acquired his administrative office in accordance with the British policy of indirect rule promoting decentralization. The policy of indirect rule was codified in the 1920s at the hand of Lord Lugard in light of his long colonial administrative experience culminating as Governor of Nigeria (Lugard 1922/1965: esp. 199ff.). Accordingly, local leaders were to be appointed to administer largely rural provinces in terms of customary law in matters affecting only "natives." Customary law in this instance was a collection of local rules and customs across different groups fashioned into an administratively coherent and manageable amalgam from the colonizers' perspective (Mamdani 1992). These local leaders were to be subjected in turn to the commands of colonial officers at whose behest they ultimately served. Tshekedi Khama answered most immediately to the authority of Bechuanaland's Resident Commissioner, in this instance Charles Rey, a military man of considerable arrogance, unsatisfied ambition, and little tact.

In 1933, after many brushes with local authorities, an unrepentant McIntosh was brought before Tshekedi's court ostensibly on charges of social nuisance and insubordination but as much as a result of concern over his frivolous sexual socialization with "native" women. Phinehas was sentenced at the outcome of the hearing to a flogging, two strokes of which were administered before Tshekedi dismissed him. Colonel Rey, livid at the prospect of a "white" resident being "subjected" to local law and corporal punishment, and incensed at the "evil of interracial sexual intercourse," nevertheless was delighted finally to be handed grounds for ridding himself of a Regent he had long found to be a nuisance. Rey had been trying to develop mineral

mining in the territory as a basis for its economic self-sufficiency by employing local labor at exploitative rates. This was a policy vehemently opposed by the sometimes obstinate but always deliberate and occasionally cunning Tshekedi. The latter was justifiably more concerned with improving the living conditions of his wards. Rey attempted to circumvent Tshekedi's capacity to derail his policies by instituting rule through proclamation, which Tshekedi properly opposed by seeing it as eroding the expressed intent of indirect rule to empower local self-determination.

Rey instantaneously arranged for the British navy to exhibit a show of imperial force. Within days, a battalion of seamen had traveled 1,000 miles by train from their ships near Cape Town to invade poor, desert dusty, landlocked and militarily helpless Bechuanaland, arriving fully armed with the most modern of military weaponry. The displayed power of British military might was hilariously necessary to reinforce the vaunted rule of British law. Tshekedi was found in the ensuing formal enquiry to have overstepped his authority in seeking to exercise local customary rule over a European. In a series of ensuing rulings by appeals courts the justifiability of the Foreign Jurisdiction Act of 1890 was reiterated, giving to colonial authorities the "unfettered and unlimited power to legislate for the government of and administration of justice among the native tribes in the Bechuanaland Protectorate." This was a power deemed unmitigated by any subsequent treaty.⁸ Tshekedi was banished from his province for a year, before being reinstated, and Phinehas McIntosh together with a close white compatriot was banished to Rhodesia for life (ironically, without the benefit of a hearing McIntosh had received from Tshekedi). Tshekedi allowed him to return a few years later to live out his life in Serowe (after marrying a local white woman), where they became neighbors and fast friends. Colonel Rey retired to the Cape, bitter at the metropolitan British establishment, and was replaced by a Resident Commissioner with considerably more administrative experience in indirect rule who recognized the woeful ways of Rey's attempts to rule by proclamation.

We find in this fascinating episode a different style and substance of racial rule than under Belgian despotism. Law is taken relatively seriously, at least as the principal mode through which power is exerted and exercised. Racial rule, if only in its initial exercise, was effected not so much upon the heads and bodies as through the hand of those

ruled racially by themselves, with sometimes ironic implications ("white" treated as "native," "black" treated as if "white," law imposed through force, force effected through the rule of law). The threat of physical force was reserved to prop up the sense of dominance where it was seen to falter or where British authority was as much as challenged, rather than to be assumed as the resort of first, faultless, and deadly recourse.

The McIntosh case reveals at the same time that the localism of indirect rule in provincial localities was encircled by the overriding and unquestionable authority of rule by colonial imposition. It was contained by surrounding it in a commanding rule from the colonial capital (in this case Cape Town and Pretoria) that, in turn, was folded hierarchically into metropolitan rule from Europe. Thus local "native" rule was at least partly shaped and authorized by the generalizing hand of colonial administration. The distinction Mamdani draws between tribal and racial regimes – the former local and rural, ruled by customary law long in the making, the latter centralized and urban and ruled by an imposed Native Authority – collapses under the weight of racial imposition. Tribal governance was transformed into nothing more than a modality of the racial – historicist rather than naturalist, to be sure, but racial nevertheless (Mamdani 1992: 37ff.) Mamdani's "decentralized despotism" amounts to no more than centralized containment through local dispersal, with both local and centralized rules assuming multiple and varied expressions across space and time, as Comaroff's (1998) entire argument is designed to reveal.

The racial state, then, is a genus of forms and processes, an analytic generality the specificities of which differ case by case. Colonies of Britain, Belgium, France, the Netherlands, or Germany differed in their particularities, as indeed in racial specificity they differed from each other as well as from those of Portugal or Spain. It is because of these overdeterminations – in number and nature, in variation, and in the variety of their interaction – that one could begin to differentiate not only between particular expressions or institutions of racial rule but also their forms. In their spatio-temporal specificities regarding racial rule, the US differs not just from Canada but also from those societies with which it has been most compared, namely, South Africa and Brazil (contra A. Marx 1998), a contrast I will further elaborate in following chapters. Colonized states and metropolitan ones differed almost as much between as from each other, as too

have the postcolonial from their colonial manifestations. So "the racial state" as a category offers no more than a template for rule, the contours rather than the content.

States of Racial Violence

The McIntosh case reveals that in its visible assertibility racial rule developed into a form of crisis management (cf. Lowe 1996: 174). It is in moments of perceived crisis that the routinized obscuring of racial rule evaporates to leave evident behind it the force upon which it is necessarily predicated. It renders evident, in addition, the (threat of) violent physical enforcement that racial rule is driven to invoke so as to reinstate the threatened order. The Congo (and perhaps this is generally the case for naturalistically driven racial regimes) was perceived in its otherness as inherently threatening, as state crisis constantly under construction. The virtually ceaseless states of emergency under mature apartheid exemplify this notion of rule through racially fashioned crisis also. With historicist racial regimes the overriding pursuit has been to rule through routinization, to normalize racial governance through the order of law, resorting to naked force only when the threads of racial order have torn at the seams of the social fabric as the administrative routines failed to contain(erize) the racially dominated "in their place."⁹

If crisis is the dominant medium of the visibility of racial rule, power is its mode, its defining condition. Power may be considered a potency, the capacity to act (Habermas 1986: 75–6). In social terms (as Arendt says), power is the capacity to act in concert (Arendt 1986: 64). The social power to act, however, is not to be defined simply in terms of capacity; it is more fully the potency to affect the standing of other people. Social power accordingly is not merely a capacity but a relation of relative capability, at basis a political relation. It is the active shaping of people's social standing, or the social positioning and possibility so to shape. The state affects social accessibility and status by way of its institutionalized apparatuses. It does so not only in class terms but interactively also in racial and gendered ones. Race in particular delimits acknowledgment of the grounds of such social (in)accessibilities, attributing them to the force of individual or group (in)capacities (Sartre 1960/1976: 720).

It follows that the state is (an institutionalization of) the exercise of power. It is, by both design and effect, the institutionalized elevation of the interests – political, economic, legal, social, cultural – of some to the exclusion or devaluation of others. State power thus is exercised and embodied in the name of and through the institutionalized apparatuses of the state in behalf of some (always more or less contested) interests to the exclusion of others. These interests may be narrowly those of the group directly holding and exercising political power, or more broadly of those whose class interests are represented by administrators of the state apparatus (or some combination). They may be exercised in concert with the logic of systemic imperatives mandating the terms of its own reproduction. In modern terms, I have argued, such institutional commitments, interests, and imperatives have been advanced through the order of law, underpinned by the threat of force.

Race is an especially convenient form of conceptual social cement here. For just as the state is an expression of power, so it is possible to reconceptualize race in terms of power. Race covers over the “magical” nature of the modern state, making its fetishistic characteristics appear all too readily as naturally given, as sacred and so unchallengeable (Taussig 1997). Thus even the historicist conceptions of race appear naturalized. Race is conceived as a container or receptacle of power, a medium through and in the name of which power is expressed. All too often race is projected as a rationalization for, an epiphenomenon of, power’s expression the determinants of which are otherwise established (for instance, economically). While not always inaccurate, I have been arguing by contrast that race is itself the expression of relations of power. It is the embodiment and institutionalization of these relations.

Jewsiewicki and Mudimbe (1995) argue that it is not some naturally preexisting nation in the name of which state creation is mobilized. Rather, states instrumentally invent nations as a form of generalized socialization. By the same token, I am claiming, states are instrumental in inventing races both as a form of socialization and as technologies of order and control. States fabricate races, imputing to them a semblance of coherence. They do not create races artificially from whole cloth, however, but pick up the threads for designing the racial fabric from various sources, scientific and social, legal and cultural. States then are fundamental to weaving race into the social fabric,

and indeed the fabric of the modern state is fashioned with racially woven threads. States thus are endowed or endow themselves with “races”; they adjust and adopt races to governmental purposes. While states are instrumental in the institutional conceptualization of races, racial conceptions define and refine state formation.

That race is a marker, an expression, indeed, constitutive of modern relations of power makes it especially amenable to the expression of state power, one might say, to the central defining condition of modern statehood per se. Through race there is displaced from the modern state, covered over, the raw expression of state power. Such power, nothing more than created, is projected through racial terms as the given order of things, seemingly intractable and so established by natural or teleological law. The consensual rationalization of modern statehood acquires the anchor of racial naturalization; and the givenness of race, its teleology, becomes legitimated – reinforced – through the veneer of consensual agreement of citizens to the state and state fabrication. Those rendered racially inferior or different are locked in and away. The almost conceptual vacuity of race (Stoler 1997) enables configuration of transnational extra-state identities – for example, “the white race” or diasporic Pan-Africanism – as well as the reification and magnification of local, intrastate racial exclusions (cf. Balibar 1990). These two movements do not simply pull away from each other. Rather, the elasticity of race pulls them back as they stretch apart into a taut, mutually reinforcing racial order.

Now violence is conceived usually as the invocation and use of instruments (in the case of the state, state apparatuses) to implement the effects of power’s exercise at the expense of those upon whom it is exercised (Arendt 1986). But we might think of violence more extensively also as the dispersal throughout the social of arrangements that systematically close off institutional access on the part of individuals in virtue of group membership, and indeed that render relatively hidden the very instrumentalities that reproduce that inaccessibility. This is violence not just in virtue of wrenching life’s possibilities from some in order to elevate those of others, though it is clearly that. It is violent the more so in refusing to acknowledge the sources of the inaccessibility, attributing them through the forces of racial subjection to the individualized or group capacities or their relative absence of those who lack access. It follows that racial conditions of life as we have come to experience them throughout modernity – the racial

state in that broader sense of the term identified above – are inherently violent. So racial states in both their institutional and existential senses are not simply the exercise of power but equally states of violence. And the more violent the racist imposition, the more likely will it be that effective resistance will have to respond violently to some degree also. Here the violence of resistance is generically that of breaking the conceptual and social strangleholds, the yoke, of “given” and naturalized relations and conditions that have been enacted and reified historically in the name of race.

Thus, on this conception, not only were colonial conditions in the Congo violent, or colonial administration in Bechuanaland or India, but also those colonizing regimes licensing the instrumentalities of exclusion and refusing to do anything about them. The same point extends to the racial regimes in the United States, southern *and* northern, but also to the federal government that not only failed to curtail lynching but through constitutional law enabled the implementation of the “one drop rule,” the institutionalization of the “separate but equal” principle, and segregated social space.

A Racial World Order

Finally, racial states are elaborated, reproduced, extended, and sustained – in short, they exist over time – in virtue of their relative positioning in the establishment of a complex global arrangement. Race was discursively fashioned as its elaborating definition helped to imagine and create a world known even by its protagonists as colonization (Merivale 1841/1928). Bodies were racially produced, constituted as bearers of political and economic, legal and cultural power and meanings. They were constituted as perpetrators and objects of racial violence in relation to their insertion into a world process of racial states, conditions, and arrangements. Belgian military and missionary men flocked to Central Africa. Indigenous people were dehumanized and delimbed as they or their relatives were Christianized. Phinehas McIntosh found himself in a British Protectorate at the southern end of Africa, stripping himself largely of his Scottish identity even as British colonial administrators insisted on his racial belonging. He was flogged at the orders of a local indigenous official, Tshekedi Khama. Khama’s authority, in turn, was derived in large part from the colonial system

of governance that at once disciplined and denigrated him. His rule, as we have seen, was subjected to the might of a landlocked British navy whose unquestioned power was about to be challenged by a more extreme form of racist state formation in the name of Nazism. And European women traveling in the colonies at the end of the nineteenth century could see their patriarchal homelands as free by comparison despite the fact that they still lacked the vote (Grewal and Caplan 2001).

We find in these examples and countless others like them the representation of a worldly web of racial arrangement, relationally produced over time, positioning not only people(s) but nation-states in terms of the fashioned hierarchies. As Balibar notes, Wilhelm Reich characterized this as “nationalist internationalism.”¹⁰ These meanings and the institutional arrangements upon which they depend and which they recreate have shaped the outlines of possibility for their inhabitants.

As much as power was cemented racially in state formations within a global ordering, resistance to any part of the racial ordering of states, affairs, and people ultimately has had to assume proportionate global reach. Not only was the abolitionist movement transnational in organization, so too the debate in America concerning post-slavery prospects for freed slaves conjured global movements. Thus the American Colonization Society, founded in 1817 by the likes of Jefferson, insisted on African repatriation (as did Lincoln famously later) because the racial differences between whites and blacks were deemed so naturalistically deep as to prevent “the races” living peaceably together. The Society was infamously instrumental in founding and funding the free state of Liberia. On the other side of the divide, the African Civilization Society, led by the likes of early “black nationalists” Alexander Crummell and later Edward Blyden, likewise looked to Africa as post-abolition salvation for freed slaves. Crummell in particular argued that emigrating American blacks had the responsibility to “civilize” Africa into the virtues of Christianity and commerce (Crummell 1861/1996; Blyden 1862/1996).

Anti-colonial and anti-racist campaigning, most notably in the wake of massive migrant mobilization, has recognized the global scope of racial conditions. Racial states anywhere are shored up in larger or smaller ways, more or less directly, by their connectedness to racial states everywhere. Resistance movements have understood the need

to respond to racist conditions in appropriately global terms. The campaign led by Morel against Leopold's regime in Central Africa grew from London but certainly looked for support to America and Europe. Tshekedi Khama journeyed to London to petition the king concerning the appropriate forms of colonial rule in Bechuanaland. Colonial subjects, upon studying at the likes of Oxford and Paris, Amsterdam and Heidelberg, Moscow and Louvain, returned to their homelands to lead nationalist decolonizing movements in the name of Pan-Africanism and Negritude. Both sought and secured international connections, reflected not only in the Conference on Race in 1911 but also in the international sites of the various Pan-African Conventions (New York, London, Paris, Manchester). Among the earliest mobilizations at the fledgling United Nations was the Convention Against Genocide in 1946 and the first of many Declarations on Race followed just two years later.

There is a negative implication to this globalizing of racial conditions, however, well worth closing this chapter by noting. At the turn of the nineteenth century emergence of Afrikaner nationalism enabled the British to think themselves free of discriminatory spirit. We see here how the interconnectedness of what I have tentatively identified as a loosely ordered racial world systemic process has served not merely to mobilize racist structures, nor simply to sustain racial resistance movements. Relations between the civil rights movement and the anti-apartheid struggle, between Black Power and Black Consciousness, jump to mind. This racial world system equally shores up racially exclusionary conditions globally and locally. It has enabled denial of their own implication in racial state formation and conditions of those claiming greater racial tolerance, displacing their implication behind the veil of those more extreme expressions. The international anti-apartheid campaign reproduced this logic: conservatives and liberals alike in Europe and the United States could declare themselves against apartheid and for colorblindness, against racism and at least ambivalent about affirmative action, at once blind to the relation. It is to the implications of these questions of law, violence, and globalization for more or less contemporary manifestations of racial states that I now turn.

NOTES

- 1 I do not mean to make too much of this, in light of Stephen Small's careful empirical research revealing that the white men fathering mixed black offspring were usually poor and hardly in any position to extend advantages to their children, other than their nominal whiteness, even where unusually they might have wanted to (Small 2001: 28).
- 2 "[T]he state . . . does not have this unity, this individuality, this rigorous functionality" (Foucault 1991: 103).
- 3 For instance, the legislature of the State of California in 1850 prohibited the conviction of a white defendant in criminal proceedings on the strength of testimony offered by a black, mulatto, or American Indian witness. In *People v. Hall* (1954), the murder conviction of a white man was overturned on appeal on the argument that, as a member of "the Mongoloid race," the principal witness, a Chinese man, was identifiable with blacks and so his testimony was ruled inadmissible because unreliable (see Goldberg 1997: 39).
- 4 Anthony Marx (1998) has argued recently that political elites resorted to racist exclusion, most notably in the form of de jure segregation, to consolidate whites in the face of intrawhite conflict (Civil War in the US, the Boer War in South Africa), national instability, and potential demise in power. So de jure segregation apparently was fashioned to unite whites in these societies. By contrast, Brazil suffered no internalized conflict among whites, and so no need to resort to segregation of blacks as a way of uniting a divided nation identified with whiteness. In Brazil, discrimination accordingly assumed less overt forms. Marx takes racial formation in these societies to be imposed more or less top down by elites seeking to ensure solidity in their nation-building in the late nineteenth and twentieth centuries. He adds in a nod to nuance that formal exclusion prompted resistant racial identities among people of color which were necessary in turn for protesting such exclusion and mobilizing for inclusion and resource sharing. Here again Brazil is differentiated from the other two instances, for in the former lack of formalized racism is deemed to result in the relative lack of resistant race-based identity formation.

Marx conceives the state minimally and traditionally in a Hobbesian vein, as using race instrumentally to the ends of stability and security (Marx 1998: 4, 13). He accordingly offers no account of race and race making beyond what elites and resisters are taken superficially and obviously to do in relation and response to each other. So he fails to show how race is used, what it stands for materially and symbolically, what work and conditions in different contexts it is able to effect beyond the

bald unification of whites in the face of their own potential conflict. Accordingly, he suggests a totally reductionistic sense of race as functional to social definition, determined by a mix of economics and politics, the effect of which is to force an artificial similitude between the US and South Africa in order to save the thesis. Superficially both the Civil and Boer Wars were conflicts for control over territories and wealth. By contrast, however, the Civil War was not an *ethnic* conflict among whites that necessitated state imposition of segregation to resolve. Nor in a more subtle reading of their respective histories are either simply reducible to black–white bifurcation, even as that racially created division has dominated both. Indeed, as I have argued above, the state was implicated in modern race creation from the outset, as race was mobilized to mold modern state definition in different ways at different times. And if ethnic tensions among whites in the making of modern states supposedly are resolved through a broader black–white bifurcation, how is it that Belgium fails to fit that model?

- 5 Irish Nell, a white indentured servant of Lord Baltimore, married Charles, a Negro slave, shortly before this, bearing him children after passage of the law. A great granddaughter in turn contested her enslavement in the eighteenth century on the basis of the law, finally prevailing in 1787 (Hodes 1997). Indeed, Jefferson realized the economic importance of black women to the reproduction of slave labor: "I consider the labor of a breeding woman as no object, and that a child raised every 2 years is of more profit than the crop of the best laboring man" (Thomas Jefferson, letter to Joel Yancy, January 17, 1819, in Jefferson 1953: 43). Cheryl Harris (1995: 279), following Ron Takaki, wrongly attributes the quote to a letter Jefferson wrote to John Jordan in 1805.
- 6 Charles Mills (1998: 187–9) calls this "subpersonhood." He insists, again, that the creation and elaboration of the category of subpersonhood is a product only of what I have identified above as the naturalist tradition. As he says, "*for these beings [subpersons], a different set of normative rules applies; natural law speaks differently*" (Mills 1998: 188, his emphasis). A little later Mills insists that Kant, "preeminent Enlightenment theorist of personhood and the founder of the modern concept of race," places Native Americans at the bottom of his hierarchy of races, a rung beneath blacks. But nothing Kant says bears this ordering out. Quite the contrary, Kant's characterization of "Negroes" – as "stupid" with "no feeling rising above the trifling" – is in clear contrast to his sometime, if begrudging, praise for "the savages of North America" whom he insists are not one of "the four original races" but derivative from the "Hunnic–(Mongolian or Kalmuck) race" of northern Asia (Kant 1775/1950: 17–18). Thus he says of the latter that "Among all the savages there is no

nation that displays so sublime a mental character" for "they have a strong feeling for honor" and are "truthful and honest" and above all driven by "valor" (Kant 1764/1960: 110–12).

- 7 By 1887, it should be noted, naturalist presuppositions in the case of the Congo had already been placed in question. Thus, Jerome Becker, a Belgian military representative and colonial agent in the Congo Free State, could claim in historicist terms that, "I ask any one who knows anything about Africa to look over the land, and ask himself if there is not abundant proof of the *improvability* of the native" (Becker 1887, 1: 140; quoted in Fabian 2000: 237, my emphasis). For these reasons along with his association with Arab traders to whom he "remained loyal" even when the Belgians mounted a campaign against them (Fabian 2000: 18), Becker was ostracized from Belgian rulers and resigned from colonial service.
- 8 *Tshekedi Khama and Another v. The High Commissioner*, in William (1935: 31). For the detail of the Bechuanaland episode, I have relied upon Crowder (1988).
- 9 While devoting relatively few pages to the use of military force and only late in his large book, Lugard nevertheless recommends that a soldier shoot quickly to kill a single or few insurrectionists as a show of power. He promotes the willingness to use force rather than sparing immediate life at risk of revealing weakness and facing the need for a much larger response later (Lugard 1922/1965: 580). For an elaboration of "principles of imperial policing," see Gwynn (1934). Since its establishment over fifty years ago, the state of Israel has had in effect a legal state of emergency designed for the most part to deal with its internal "Arab question," legislation that enables "the Israeli cabinet to supersede the legislative process" (*New York Times*, April 7, 2000, p. A10).
- 10 Balibar understands this to begin with Nazism (Balibar 1990: 287). I am suggesting that it is initiated at least with colonial formations in the nineteenth century.