# NC

## K

#### Subjects are fundamentally unstable because of *evolution* : all subjects fluctuate as they continue to evolve. Babies become toddlers, teenagers become adults, all which prove evolution.

#### Affect is constitutive: it is the capacity to experience and to be experienced. In round, everyone has the capacity to experience each other. There is no way any person or thing can escape affection.

#### [Weheliye 1] The 1ACs rhetoric of inclusion via the state reinforces the narrative of a common humanity that oppresses deviant bodies. This empowers people to be in the position where they get to recognize and not recognize others.

**Weheliye 1**: Weheliye, Alexander. [Associate Professor of African American Studies at Northwestern University] ““Habeas Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human” 2014. JP/BP

Paradoxically, the particular biological material in question remains the property, at least nominally, of all humanity and is not proper to Moore the individual person: “Lymphokines, unlike a name or a face, have the same molecular structure in every human being and the same, important functions in every human being's immune system. Moreover, the particular genetic material which is responsible for the natural production of lymphokines, and which defendants use to manufacture lymphokines in the laboratory, is also the same in every person; it is no more unique to Moore than the number of vertebrae in the spine or the chemical formula of hemoglobin.”20 **So, while the court grants personhood to human subjects in an individualized fashion that is based on comparatively distinguishing between different humans, when biological material clashes with the interests of capital, the court appeals to the indivisible biological sameness of the Homo sapiens species**. Since the court's ruling does not place this slice of human flesh in the commons for all humans to share, it tacitly grants corporations the capability of legally possessing this material with the express aim of generating monetary profit. Considering that corporations enjoy the benefits of limited personhood and the ability to live forever under U.S. law, corporate entities are entrusted with securing the immortal life of biological matter, while human persons are denied ownership of their supposed essence.21 My interest here lies not in claiming inalienable ownership rights for cells derived from human bodies such as Lacks's and Moore's but to draw attention to how thoroughly the very core of pure biological matter is framed by neoliberal market logics and by liberal ideas of personhood as property. We are in dire need of alternatives to the legal conception of personhood that dominates our world, and, in addition, to not lose sight of what remains outside the law, what the law cannot capture, what it cannot magically transform into the fantastic form of property ownership. Writing about the connections between transgender politics and other forms of identity-based activism that respond to structural inequalities, legal scholar Dean Spade shows how the focus on inclusion, recognition, and equality based on a narrow legal framework (especially as it pertains to antidiscrimination and hate crime laws) not only hinders the eradication of violence against trans people and other vulnerable populations but actually creates the condition of possibility for the continued unequal “distribution of life chances.” If demanding recognition and inclusion remains at the center of minority politics, it will lead only to a delimited notion of personhood as property that zeroes in comparatively on only one form of subjugation at the expense of others, thus allowing for the continued existence of hierarchical differences between full humans, not-quite-humans, and nonhumans. This can be gleaned from the “successes” of the mainstream feminist, civil rights, and lesbian-gay rights movements, which facilitate the incorporation of a privileged minority into the ethnoclass of Man at the cost of the still and/or newly criminalized and disposable populations (women of color, the black poor, trans people, the incarcerated, etc.).23 To make claims for inclusion and humanity via the U.S. juridical assemblage removes from view that the law itself has been thoroughly violent in its endorsement of racial slavery, indigenous genocide, Jim Crow, the prison-industrial complex, domestic and international warfare, and so on, and that it continues to be one of the chief instruments in creating and maintaining the racializing assemblages in the world of Man. Instead of appealing to legal recognition, Julia Oparah suggests counteracting the “racialized (trans)gender entrapment” within the prison-industrial complex and beyond with practices of “maroon abolition” (in reference to the long history of escaped slave contraband settlements in the Americas) to “foreground the ways in which often overlooked African diasporic cultural and political legacies inform and undergird anti-prison work,” while also providing strategies and life worlds not exclusively centered on reforming the law.24 Relatedly, Spade calls for a radical politics articulated from the “ ‘impossible’ worldview of trans political existence,” which redefines “the insistence of government agencies, social service providers, media, and many nontrans activists and nonprofiteers that the existence of trans people is impossible.”25 A relational maroon abolitionism beholden to the practices of black radicalism and that arises from the incompatibility of black trans existence with the world of Man serves as **one example** of how putatively abject modes **of being need no tbe** redeployed **within hegemonic framework but** can be **operationalized as variable liminal territories or** articulated **assemblages in movements to abolish the grounds upon which all forms of subjugation are administered.**

#### [Weheliye 2] Attempts to recognize a common humanity under a Rawl’s framework furthers erasure – it restricts liminality and strengthens the state.

**Weheliye 2**: Weheliye, Alexander. [Associate Professor of African American Studies at Northwestern University] ““Habeas Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human” 2014. BP

Suffering, especially when caused by political violence, has long functioned as the hallmark of both humane sentience and of inhuman brutality. **Frequently, suffering becomes the defining feature of those subjects excluded from the law, the national community, humanity, and so on due to the political violence inflicted upon them even as it, paradoxically, grants them access to inclusion and equality.** In western human rights discourse, for instance, the physical and psychic residues of political violence enable victims to be recognized as belonging to the “brotherhood of Man.” **Too often, this tendency not only leaves intact hegemonic ideas of humanity as indistinguishable from western Man but demands comparing different forms of subjugation in order to adjudicate who warrants recognition and belonging.** As W. E. B. Du Bois asked in 1944, if the Universal Declaration of Human Rights did not offer provisions for ending world colonialism or legal segregation in the United States, “Why then call it the Declaration of Human Rights?”2 Wendy Brown maintains, “politicized identity” operates “only by entrenching, restating, dramatizing, and inscribing its pain in politics; it can hold out no future...that triumphs over this pain.”3 Brown suggests replacing the identitarian declaration “I am,” which merely confirms and solidifies what already exists, with the desiring proclamation “I want,” which offers a Nietzschean politics of overcoming pain instead of clinging to suffering as an immutable feature of identity politics. While I recognize Brown's effort to formulate a form of minority politics not beholden to the aura of wounded attachments and fixated almost fetishistically on the state as the site of change, we do well to recall that many of the political agendas based on identity (the suffragette movement, the movement for the equality of same-sex marriages, or the various movements for the full civil rights of racialized minority subjects, for instance) are less concerned with claiming their suffering per se (I am) than they are with using wounding as a stepping stone in the quest (I want) for rights equal to those of full citizens. Liberal governing bodies, whether in the form of nation-states or supranational entities such as the United Nations or the International Criminal Court make particular forms of wounding the precondition for entry into the hallowed halls of full personhood, only acknowledging certain types of physical violence. For instance, while the United Nations High Commissioner for Refugees passed a resolution in 2008 that includes rape and other forms of sexual violence in the category of war crimes, there are many forms of sexual violence that do not fall into this purview, and thus bar victims from claiming legal injury and/or personhood.4 Even more generally, the acknowledgment and granting of full personhood of those excluded from its precincts requires the overcoming of physical violence, while epistemic and economic brutalities remain outside the scope of the law. **Congruently, much of the politics constructed around the effects of political violence, especially within the context of international human rights but also with regard to minority politics in the United States, is constructed from the shaky foundation of surmounting or desiring to leave behind physical suffering so as to take on the ghostly semblance of possessing one's personhood. Then and only then will previously minoritized subjects be granted their humanity as a legal status.** Hence, the glitch Brown diagnoses in identity politics is less a product of the minority subject's desire to desperately cling to his or her pain but a consequence of the state's dogged insistence on suffering as the only price of entry to proper personhood, what Samera Esmeir has referred to as a “juridical humanity” that bestows and rescinds humanity as an individualized legal status in the vein of property. **Apportioning personhood in this way maintains the world of Man and its attendant racializing assemblages, which means in essence that the entry fee for legal recognition is the acceptance of categories based on white supremacy and colonialism, as well as normative genders and sexualities.**

#### [Weheliye 3] The alternative is habeas viscus or becoming human. To clarify, this means that we change our view on humanity from legality (a body that is coherent) to focus on flesh (a *real, actualized, material* body) to in order prioritize affective encounters. ONLY when subjects can come together under the guise of identity and experiences, strategizing to dismantle systems of oppression can become possible.

**Weheliye 3**: Weheliye, Alexander. [Associate Professor of African American Studies at Northwestern University] ““Habeas Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human” 2014. JP

The poetics and politics that I have been discussing under the heading of habeas viscus or the flesh are concerned not with inclusion in reigning precincts of the status quo but, in Cedric Robinson's apt phrasing, “the continuing development of a collective consciousness informed by the historical struggles for liberation and motivated by the shared sense of obligation to preserve [and I would add also to reimagine] the collective being, the ontological totality.”31 Though the laws of Man place the flesh outside the ferocious and ravenous perimeters of the legal body, habeas viscus defies domestication both on the basis of particularized personhood as a result of suffering, as in human rights discourse, and on the grounds of the universalized version of western Man. Rather, habeas viscus points to the terrain of humanity as a relational assemblage exterior to the jurisdiction of law given that the law can bequeath or rescind ownership of the body so that it becomes the property of proper persons but does not possess the authority to nullify the politics and poetics of the flesh found in the traditions of the oppressed. As a way of conceptualizing politics, then, habeas viscus diverges from the discourses and institutions that yoke the flesh to political violence in the modus of deviance. Instead, it translates the hieroglyphics of the flesh into a potentiality in any and all things, an originating leap in the imagining of future anterior freedoms and new genres of humanity. To envisage habeas viscus as a forceful assemblage of humanity entails leaving behind the world of Man and some of its attendant humanist pieties. As opposed to depositing the flesh outside politics, the normal, the human, and so on, we need a better understanding of its varied workings in order to disrobe the cloak of Man, which gives the human a long-overdue extreme makeover; or, in the words of Sylvia Wynter, “the struggle of our new millennium will be one between the ongoing imperative of securing the well-being of our present ethnoclass (i.e. western bourgeois) conception of the human, Man, which overrepresents itself as if it were the human itself, and that of securing the well-being, and therefore the full cognitive and behavioral autonomy of the human species itself/ourselves.”32 Claiming and dwelling in the monstrosity of the flesh present some of the weapons in the guerrilla warfare to “secure the full cognitive and behavioral autonomy of the human species,” since these liberate from captivity assemblages of life, thought, and politics from the tradition of the oppressed and, as a result, disfigure the centrality of Man as the sign for the human. As an assemblage of humanity, habeas viscus animates the elsewheres of Man and emancipates the true potentiality that rests in those subjects who live behind the veil of the permanent state of exception: freedom; assemblages of freedom that sway to the temporality of new syncopated beginnings for the human beyond the world and continent of Man.

#### [Wehelieye 4] Deviant bodies are compared against one another under the state as the color line sets the basis for how subjects should be – women, queer folk, and black people stray from the standard conception of the Western Man, and face oppression as a result. Thus, the Role of the Ballot is to deconstruct the western Man.

**Weheliye 4**: Weheliye, Alexander. [Associate Professor of African American Studies at Northwestern University] ““Habeas Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human” 2014. JP

Consequently, **racialization figures as a master code within the genre of the human represented by western Man, because its law-like operations are yoked to species-sustaining physiological mechanisms in the form of a global color line—instituted by cultural laws so as to register in human neural networks—that clearly distinguishes the good/life/fully-human from the bad/death/not-quite-human**. This, in turn, authorizes the conflation of racialization with mere biological life, which, on the one hand, enables white subjects to “see” themselves as transcending racialization due to their full embodiment of this particular genre of the human while responding anti-pathetically to nonwhite subjects as bearers of ontological cum biological lack, and, on the other hand, in those subjects on the other side of the color line, it creates sociogenically instituted physiological reactions against their own existence and reality.40 Since the being of nonwhite subjects has been coded by the cultural laws in the world of Man as pure negativity, their subjectivity impresses punishment on the neurochemical reward system of all humans, or in the words of Frantz Fanon: “My body was returned to me spread-eagled, disjointed, redone, draped in mourning on this white winter's day. The Negro is an animal, the Negro is bad, the Negro is wicked, the Negro is ugly.” **Political violence plays a crucial part in the baroque techniques of modern humanity, since it simultaneously serves to create not-quite-humans in specific acts of violence and supplies the symbolic source material for racialization**. For Wynter, the promise of black studies—and the numerous other ruptures precipitated by the 1960s—lies in its liminality, which contains potential exit strategies from the world of Man. **However, we must first devise new objects of knowledge that facilitate “the calling in question of our present culture's purely biological definition of what it is to be, and therefore of what it is like to be, human.”** We must do so because we cannot fully understand the present incarnation of the human from within the “biocentric and bourgeois” epistemic order that authorizes the biological selectedness of Man and, conversely, the creation of “dysgenic humans” (those who are evolutionarily dysselected), “a category comprised in the US of blacks, Latinos, Indians as well as the transracial group of the poor, the jobless, the homeless, the incarcerated,” the disabled, and the transgendered.43 Within our current episteme, these groups are constituted as aberrations from the ethnoclass of Man by being subjected to racializing assemblages that establish “natural” differences between the selected and dysselected. In other words, black, Latino, poor, incarcerated, indigenous, and so forth populations become real objects via the conduit of evolutionarily justified discourses and institutions, which, as a consequence, authorizes Man to view himself as naturally ordained to inhabit the space of full humanity. **Thus, even though racializing assemblages commonly rely on phenotypical differences, their primary function is to create and maintain distinctions between different members of the Homo sapiens species that lend a suprahuman explanatory ground (religious or biological, for example) to these hierarchies**. As Wynter explains, “all our present struggles with respect to race, class, gender, sexual orientation, ethnicity, struggles over the environment, global warming, severe climate change, the sharply unequal distribution of the earth resources...—these are all differing facets of the central ethnoclass Man vs. Human struggle.”44 Wynter's oeuvre facilitates the analysis of the relay between different forms of subjugation, because in it the human operates as a relational ontological totality. Therefore, the Man versus Human battle does not dialectically sublate the specificity of the other struggles but articulates them in this open totality so as to abolish Man and liberate all of humanity rather than specific groups.