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#### ROB: The 1ac is a performative act to legally render marginalized bodies visible; however, this exacerbates subjugation by juridical assemblages put on seemingly dispensable populations that lie farther from the ethnocentric man. Thus, the role of the ballot is to deconstruct the western judge to move spaces like debate farther from the usage of racializing assemblages. Weheliye 14 [Weheliye: Associate Professor of African American Studies at Northwestern University] “Habeas Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human” August 2014 // pesh-anika

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.” 22 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 not be redeployed within hegemonic frameworks 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.

#### 1AC’s legal incorporation of subjects through state engagement ensures an outside of personhood – legal incorporation sustains hierarchies as it determines who is or isn’t a legitimate person – diving people into different categories of human, subhuman, and non-human.

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

Nevertheless, **the benefits accrued through the juridical acknowledgment of racialized subjects as fully human often exacts a steep entry price**, because **inclusion hinges on accepting the codification of personhood as property**, which is, in turn, based on the comparative distinction between groups, as 78 Chapter Five in one of the best-known court cases in U.S. history: the Dred Scott case. In 1857, **the Supreme Court invalidated Dred Scott’s habeas corpus, since, as an escaped slave, Scott could not be a legal person.** According to Chief Justice Taney: “Dred Scott is not a citizen of the State of Missouri, as alleged in his declaration, because he is a negro of African descent; his ancestors were of pure African blood, and were brought into this country and sold as negro slaves.”**8 In order to justify withdrawing Dred Scott’s legal right to ownership of self, Chief Justice Taney’s opinion in the decision contrasts the status of black subjects with the legal position of Native Americans visà-vis the possibility of U.S. citizenship and personhood:** “The situation of [the negro] population was altogether unlike that of the Indian race. These Indian Governments were regarded and treated as foreign Governments. . . . [Indians] may, without doubt, like the subjects of any other foreign Government, be naturalized . . . and become citizens of a State, and of the United States; and if an individual should leave his nation or tribe, and take up his abode among the white population, he would be entitled to all the rights and privileges which would belong to an emigrant from any other foreign people.”9 While slaves were not accorded the status of being humans that belonged to a different nation, **Indians could theoretically overcome their lawful foreignness, but only if they renounced previous forms of personhood and citizenship**. Hence, the tabula rasa of whiteness—**which all groups but blacks can access—serves as the prerequisite for the law’s magical transubstantiation of a thing to be possessed into a property-owning subject**.10

#### The legal recognition of a right to strike recreates the conditions of juridical humanity where the state dictates who is or isn’t worthy of the state’s generosity through receiving rights. This forced assimilation perpetuates neocolonial mindsets and terminates in racialized violence and genocide.

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

The judge’s comparison underscores the dangers of ceding definitions of personhood to the law and of comparing different forms of political subjugation, since hypothetical Indian personhood in the law rests on attaining whiteness and the violent denial of said status to black subjects. Additionally, while the court conceded limited capabilities of personhood to indigenous subjects if they chose to convert to whiteness, it did not prevent the U.S. government from instituting various genocidal measures to ensure that American Indians would become white and therefore no longer exist as Indians. **In other words, the legal conception of personhood comes with a steep price, as in this instance where being seemingly granted rights laid the groundwork for the U.S. government’s genocidal policies against Native Americans, since the “racialization of indigenous peoples, especially through the use of blood quantum classification, in particular follows . . . ‘genocidal logic,**’ rather than simply a logic of subordination Law 79 or discrimination,” and as a result “whiteness constitutes a project of disappearance for Native peoples rather than signifying privilege.”11 Beginning in the nineteenth century the U.S. government instituted a program in which **Native American children were forcibly removed from their families and placed in Christian day and boarding schools, and which sought to civilize children by “killing the Indian to save the man,**” representing one of the most significant examples of the violent and legal enforced assimilation of Native Americans into U.S. whiteness.12 Though there is no clear causal relationship between Taney’s arguments in the Scott decision and the boarding school initiative, both establish that legal personhood is available to indigenous subjects only if the Indian can be killed—either literally or figuratively—in order to save the world of Man (in this case settler colonialism and white supremacy). Furthermore, the denial of personhood qua whiteness to African American subjects does not stand in opposition to the genocidal wages of whiteness bequeathed to indigenous subjects but rather represents different properties of the same racializing juridical assemblage that differentially produces both black and native subjects as aberrations from Man and thus not-quite-human. **The writ of habeas corpus—and the law more generally—anoints those individualized subjects who are deemed deserving with bodies even while this assemblage continually enlists new and/or different groups to exclude, banish, or exterminate from the world of Man.In the end, the law, whether bound by national borders or spanning the globe, establishes an international division of humanity, which grants previously excluded subjects limited access to personhood as property at the same time as it fortifies the supremacy of Man**.13 The cruel irony of this fact is nowhere more pronounced than in the case of Henrietta Lacks, who died destitute after enduring great pain, but whose cervical cancer provided one of the first immortal cell lines to be successfully cultivated outside the biological jurisdiction of the human body. As such, even though they were not patented, the HeLa cells have served as the basis for not only scientific progress but also financial gain. The scientific and economic immortality of the HeLa cells, as they are known, stands in stark contrast to Henrietta Lacks’s susceptibility to premature death at the age of thirty-one in 1951 and her family’s continued poverty.14 If Henrietta Lacks’s story and the ongoing narrative of the eternal life of the HeLa cells prove anything, it is that the hieroglyphics of the flesh subsists even in death, and that it has now been transposed from the outwardly detectable to 80 Chapter Five the microscopic interior of the human, since it “can be invaded at any given and arbitrary moment by the property relations” (Spillers, “Mama’s Baby,” 218). It would seem that persistence of the twin phantoms of racialization and property relations unsettle the promise of a subepidermal and cellular humanity as an absolute biological substance.15 More recently, as a result of his treatment for hairy cell leukemia at the ucla Medical Center, John Moore’s cancer cells were grown into a highly profitable immortal cell line (mo) patented by the University of California in 1984 without his knowledge. Subsequently, Moore sued the uc Regents, and in 1990 the California Supreme Court ruled that the law could not grant proprietorship over biological matter, at least not to those individuals from whom this zoe is expropriated. Though Moore was not granted even partial proprietary ownership of the patented cell line derived from his spleen, the court did rule “that the case was one of a breach of fiduciary duty and a lack of informed consent,” since the doctors who patented the cell line had not informed Moore of their maneuvers.16 The court was faced with determining whether the cell line belonged to the jurisdiction of Moore’s body and, thus, “related to his rights of self-possession” or whether it represented “something different and artificial, belonging to its scientific makers. The court chose the latter, clearly influenced by the after-the-fact nature of the quandary.”17Rather than outlawing the proprietary ownership of cell lines derived from humans outright, however, the opinion of one judge in this ruling absolves the court of responsibility: “Whether . . . cells should be treated as property susceptible to conversion is not, in my view, ours to decide.”18 **Though the law has no problem adjudicating who can possess a body, and therefore full humanity, the highest legal authority in the United States cedes the field to corporate interests when confronted with “choices . . . that define our essence.”**19 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, Law 81 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.

#### Appealing to Juridical Humanity simply retrenches the world of Man and their racializing assemblages; ‘personhood’ calls upon a comparison of subjugation, a fetishization of pain, and is only granted to few deviant bodies, retrenching the colorline Weheliye 14 [Weheliye: Associate Professor of African American Studies at Northwestern University] “Habeas Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human” August 2014 // pesh-anika

Even though it would be fairly easy to dismiss one position, either the traditionally humanist (suffering is human) or the racially particularistic (suffering is experienced only by those groups upon which it is inflicted), in favor of the other, both these stances rely on the same logic that deems one incompatible with the other, since the humanist brand would erase particularities in favor of a universalist sweep and the particularistic variant insists on its irreducibility by excluding all nonmembers from the group's affliction. Rather than urging us to choose sides, Farah's juxtaposition of these viewpoints draws attention to the ways racialized and gendered suffering at the hands of political brutalization are always already imbricated in the construction of modern humanity. 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. 5 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

#### The color line defines the conception of the human, not-quite-human, and non-human in relation to the Western Man. Bodies become defined by how close they are to this ideal in order to access humanity.

**Wynter** Sylvia Wynter 2003; “Unsettling the Coloniality of Being/Power/Truth/Freedom: Towards the Human, After Man, Its Overrepresentation--An Argument,” CR: The New Centennial Review, Volume 3, Number 3,257-337 // pesh-anika  
The Argument proposes that the new master code of the bourgeoisie and of its ethnoclass conception of the human - that is, the code of selected by Evolution/dysselected by Evolution- was now to be mapped and anchored on the only available "objective set of facts" that remained. This was the set of environmentally, climatically determined phenotypical differences between human hereditary variations as these had developed in the wake of the human diaspora both across and out of the continent of Africa; that is, as a set of (so to speak) totemic differences, which were now harnessed to the task of projecting the Color Line drawn institutionally and discursively between whites/nonwhites - and at its most extreme between the Caucasoid physiognomy (as symbolic life, the name of what is good, the idea that some humans can be selected by Evolution) and the Negroid physiognomy (as symbolic death, the "name of what is evil," the idea that some humans can be dysselected by Evolution)- as the new extra human line, or projection of genetic nonhomogeneity that would now be made to function, analogically, as the status-ordering principle based upon ostensibly differential degrees of evolutionary selectedness/eugenicity and/or dysselected- ness/dysgenicity. Differential degrees, as between the classes (middle and lower and, by extrapolation, between capital and labor) as well as between men and women, and between the heterosexual and homosexual erotic preference - and, even more centrally, as between Breadwinner (job- holding middle and working classes) and the jobless and criminalized Poor, with this rearticulated at the global level as between Sartre's "Men" and Natives (see his guide-quote), before the end of politico-military colonial- ism, then post colonially as between the "developed" First World, on the one hand, and the "underdeveloped" Third and Fourth Worlds on the other. The Color Line was now projected as the new "space of Otherness" principle of nonhomogeneity, made to reoccupy the earlier places of the motion-filled heavens/non-moving Earth, rational humans/irrational animal lines, and to recode in new terms their ostensible extrahumanly determined differences of ontological substance. While, if the earlier two had been indispen- sable to the production and reproduction of their respective genres of being human, of their descriptive statements (i.e., as Christian and as Mam), and of the overall order in whose field of interrelationships, social hierarchies, system of role allocations, and divisions of labors each such genre of the human could alone realize itself- and with each such descriptive state- ment therefore being rigorously conserved by the "learning system" and order of knowledge as articulated in the institutional structure of each order - this was to be no less the case with respect to the projected "space of Otherness" of the Color Line. With respect, that is, to its indispensability to the production and reproduction of our present genre of the human Mam, together with the overall global/national bourgeois order of things and its specific mode of economic production, alone able to provide the material conditions of existence for the production and reproduction of the ethnoclass or Western-bourgeois answer that we now give to the question of the who and what we are.

#### We affirm Habeas Viscus, a relational assemblage grounded in the hieroglyphics of the flesh, which transforms abjection into a line of flight – only an affirmation of the flesh outside the terrain of the juridical machine can open up transient moments of freedom and bring an end to the world of Man

Weheliye 4 (Alexander Weheliye, Associate Professor of African American Studies at Northwestern University, 2014, “Habeas Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human,” pp 129-135, modified) gz

In his classic account of the Haitian Revolution, C. L. R. James tells the following story to illustrate how fervent Haitians were about their liberty: “When Chevalier, a black chief, hesitated at the sight of the scaffold, his wife shamed him. ‘You do not know how sweet it is to die for liberty!’ And refusing to allow herself to be hanged by the executioner, she took the rope and hanged herself.” 13 In a similar vein, in her 1831 slave narrative Mary Prince speaks of “the sweets of freedom” and proclaims “to be free is very sweet,” which might illuminate Borkowski’s description of being a Muselmann insofar as it not only positions this status as one of complete abjection and degradation, but accents the happening of being freed from the restraints of dignity; it also allows for a noncomparative conversation between these different forms of subjection in the flesh. 14 By insisting on the sweetened flavor of liberty, Prince and the unnamed woman render freedom tasteable and digestible, and therefore pleasurable and life saving. The (almost) unlimited for opiate-inducing syrupy tastes and textures, then, frees the potentiality of subjugated subjects such as Prince and Borkowski, since they, deprived of both sugar and liberty, know of the hunger that moves in survival as freedom. To banish these articulations of freedom and/or pleasure into exile in the precinct of inhumanity or prelanguage, as Agamben and others do, not only denies the possibility of life in extreme circumstances but also leaves intact the ruling definition of the human as Man. In other words, as Aunt Hester, Wlodzimierz Borkowski, Harriet Jacobs, C. L. R. James, Shola, and Agamemnon intimate in their differently tuned sociolects, as a way of conceptualizing politics, 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 an originating leap in the imagining of future anterior freedoms and new genres of humanity. For Agamben, potentiality and freedom are intimately related: “The root of freedom is to be found in the abyss of potentiality. To be free is not to simply have the power to do this or that thing, nor is it simply the power to refuse to do this or that thing. To be free is . . . to be capable of one’s own impotentiality , to be in relation to one’s own privation.” 15 Although the Heideggerian undertones of this passage should not go unnoticed, Agamben’s discussion of potentiality arises from an engagement with Aristotle, for whom paschein (suffering or undergoing) appears as the example that grounds the movement between potentiality and actuality ( Potentialities , 184). 16 If subjection in extreme situations of political violence provides freedom’s antithesis, especially in Aristotle’s context 17 —and “I’d prefer not to” is simply not an option— how do privation, impotentiality, non-Being, lack, and darkness (Agamben uses all these terms to describe the “abyss of potentiality”) encounter the flesh and rest in the unfree? Freedom stands at the juncture of the flesh’s privation and potentiality: the flesh carries the potential for manumission, although not the actual freedom to undergo and suffer ( paschein ) Man’s liberty. Put simply, the world of Man denies the flesh its opulent and hieroglyphic freedom by relegating it to a terrain of utter abjection outside the iron grip of humanity, thereby disavowing how the ether of the flesh represents both a perpetual potentiality and actuality in Man’s kingdom, only enveloping some subjects more than others.

Agamben continues, “There is truly potentiality only where the potentiality to not-be does not lag behind actuality but passes fully into it. . . . What is truly potential is thus what has exhausted all its impotentiality in bringing it wholly into the act as such” ( Potentialities , 183). Impotentiality, once actualized, kindles the originary potentiality that rests in the oppressed, which is nothing other than habeas viscus. Alternatively, the subjugated subject’s im/potentiality lies in the mélange of deprivation (the damaging lack of material benefits considered to be basic necessities in a society) and depravation (to make someone immoral or wicked), or, rather, in the deviations that muddle these categories, for instance via Spillers’s brilliant conjoining of porno and trope . 18 The oppressed subject is deprived of freedom, while also being depraved by “a potential for pornotroping.” This, in turn, justifies the racialized subject’s privation. In the aftermath of colonialism, genocide, and racial slavery, freedom, decolonization, and sovereignty perform the role of impotentiality/non-Being that has passed into actuality only nominally; the hieroglyphics of the flesh, however, remain a potent potential that lingers affixed to the racialized body as not-quite-human, even subsequent to nominal emancipations, disenabling the actualization of a different sort of freedom, and therefore liberty’s true potentiality. 19 That is, freedom and humanity conjured from the vantage point of the flesh and not based on its abrogation. Agamben’s theorization of bare life leaves no room for alternate forms of life that elude the law’s violent embrace. What seems to have vanished from this description is the life in the bare life compound; hence the homo sacer remains a thing, whose happening slumbers in bare life without journeying through the rivulets of liberations elsewhere. The potential of bare life as a concept falls victim to a legal dogmatism that equates humanity and personhood with a status bequeathed or revoked by juridical sovereignty in much the same way as human rights discourse and habeas corpus do. Because alternatives do not exist in Agamben’s generalized sphere of exception that constitutes bare life, the law denotes the only constituent power in the definition and adjudication of what it means to be human or dehumanized in the contemporary world. If alternate forms of life, what Wynter dubs genres of the human beyond the world of Man, can flourish only after the complete obliteration of the law, then it would follow that our existence, whether it is bare or not, stands and falls with the extant laws in the current codification of Man. This can ~~blind us to~~ [conceal] the sorrow songs, smooth glitches, miniscule movements, shards of hope, scraps of food, and interrupted dreams of freedom that already swarm the ether of Man’s legal apparatus, which does not mean that these formations annul the brutal validity of bare life, biopolitics, necropolitics, social death, or racializing assemblages but that Man’s juridical machine can never exhaust the plentitude of our world. The future orientation of political messianism has made the existing realities of oppressed groups more bearable and has inspired some of modernity’s greatest thinkers (Karl Marx, W. E. B. Du Bois, and Walter Benjamin, to name only a few), functioning as a politicopoetic imaginary of the flesh— an instantiation of the reveries that lay groundwork for assemblages of liberation in the future anterior tense— with recourse to a worldly and/or a metaphysical restorative force that transpires in the name of affecting redemptive transformations in the *hic et nunc* . 20 This dimension evaporates in bare life and biopolitics discourse; in its stead Agamben offers us a defanged legal messianism far removed from the traditions of the oppressed while Foucault fails to consider alternative imaginaries. When June Tyson repeatedly intones, “It’s after the end of the world. . . . Don’t you know that yet?” at the beginning of the Sun Ra Arkestra’s 1974 film *Space Is the Place*, she directs our attention to the very real likelihood that another world might not only be possible but that this universe may already be here in the now . 21 The only question that remains: do we have the tools required to apprehend other worlds such as the one prophesied by June Tyson and Sun Ra, or will we remain infinitely detained by the magical powers of Man’s juridical assemblage as a result of having consumed too much of his treacly Kool-Aid?

The idea of the flesh, as theorized by Spillers, while by no means drinking from the bountiful fountain of messianism, constitutes a liminal zone comprising legal and extralegal subjection, violence, and torture as well as lines of flight from the world of Man in the form of practices, existences, thoughts, desires, dreams, and sounds contemporaneously persisting in the law’s spectral shadows. The enfleshed modalities of humanity, however, are not uncritical reiterations of the humanist episteme or insistences on the exceptional particularity of racialized humanity, and, as a consequence, they do not represent mere legal or moral bids for inclusion into or critiques of the shortcomings of western liberal humanism. For habeas viscus does not obey the logic of legal possession and remains even after the body’s demise; it refuses to pass on but is, nonetheless, passed down as the remainder of the hieroglyphics of the flesh. In the absence of and in contradistinction to habeas corpus, how might the flesh incarnate alternate forms of liberty and humanity that dwell among us in the now , which, “as a model of messianic time, comprises the entire history of humanity in an enormous abbreviation, coincides exactly with the place the history of humanity occupies in the universe”? 22 If it’s after the end of the world and we just don’t know that yet, surviving in the space of the flesh might just be tantamount to inhabiting a future anterior elsewhere in which “contemporary events throw a penetrating light into the past and thereby illuminate the future.” 23 Agamben repeatedly quotes Walter Benjamin’s famous proclamation from “On the Concept of History”: “The tradition of the oppressed teaches us that ‘the state of exception’ (Ausnahmezustand) in which we live is not the exception but the rule. We must attain a conception of history that is commensurate with this insight. Then we will clearly see that it is our task to bring about a real state of exception, and this will improve our position in the struggle against fascism”; yet he rarely comments on Benjamin’s references to the tradition of the oppressed or the fight against fascism (“On the Concept of History,” 392). 24 Far more interested in the law as the locus for the universalization of the state of exception than he is in the pedagogy of the oppressed, Agamben’s omission amplifies his almost exclusive focus on bare life from the horizon of jurisprudence and hegemony, thus leaving intact the homo sacer qua homo sacer by repeating the very procedure by which modern racializing assemblages invent and maintain this category. In his numerous discussions of Benjamin, Agamben also does not consider the question of historical materialism: “The historical materialist approaches a historical object only where it confronts him as a monad. In this structure he recognizes the sign of a messianic arrest of happening [ Stillstellung ], or (to put it differently) a revolutionary chance in the fight for the oppressed past” (“On the Concept of History,” 396). For Benjamin, the dialectical struggle of historical materialism seeks not to universalize the particular oppressed past to but to generate the revolutionary restitution of temporality in which the messianic arrest of happening functions as an assemblage of freedom. In his most extended consideration of the concept of messianic redemption as it appears in the Benjaminian oeuvre, Agamben dismisses exegeses of “On the Concept of History” that insist on replacing the history of the ruling classes with historical narratives about the tradition of the oppressed, because this presumes “that the tradition of the oppressed classes is, in its goals and in its structures, altogether analogous to the tradition of the ruling classes (whose heir it would be); the oppressed class, according to this theory, would differ from the ruling classes only with respect to its content” ( Potentialities , 153). The radical nonfungibility of the ruling and oppressed classes vis-à-vis history vanishes after this point so that Agamben can appeal to an abstract sphere of historical cessation qua messianic salvation. In Agamben’s narration, Benjamin’s aim is not to emancipate the past and “restore its true dignity, to transmit it anew as an inheritance for future generations.” Instead, what is at stake “is an interruption of tradition in which the past is fulfilled and thereby brought to its end once and for all. For humanity as for the individual human, to redeem the past is to put an end to it, to cast upon it a gaze that fulfills it” ( Potentialities , 153). The opposition between a reconstructive and destructive relationship to the past that Agamben postulates, while in the spirit of Benjamin, misses its mark because it does not consider the question of historical materialism so fundamental to the way Benjamin imagines the oppressed’s world historical role in bringing about a real state of exception. Excavating the subjugated past constitutes a revolutionary endeavor since the tradition of the oppressed cannot differ from ruling-class history purely in its epiphenomenal content. 25 Not only does the oppressed past call into question the hubris of empty homogenous time but it also, and more significantly, requires a distinctive ontologico-formal assemblage in order to appear in the clearing of history. Which is to say that the oppressed qua flesh must be summoned as an assemblage of revolutionary freedom so as not to fall prey to the limits of traditional dialectical materialism. Consequently, as opposed to the constraints of the traditional dialectical form in which “every negation has its value solely as background for the delineation of the lively, the positive,” Benjamin’s versioning of the dialectic emphasizes that “a new partition be applied to this initially excluded, negative component so that, by a displacement of the angle of vision (but not of the criteria!), a positive element emerges anew in it too— something different from that previously signified. And so on, ad infinitum, until the entire past is brought into the present in *a historical apocatastasis*. ” 26 Benjamin is after the transubstantiation of the originally discounted, negative factor (the oppressed/revolutionary classes or the flesh), for it is in this prehensive shift that the echoing omen of revolutionary redemption can be found. As Benjamin writes, the oppressed class (the flesh/Man’s others) appears in this dialectical drama as “the avenger that completes the task of liberation in the name of generations of the downtrodden” (“On the Concept of History,” 394). In accordance with his usage of other religious and cosmological concepts, Benjamin secularizes but does not dispense completely with the metaphysical and otherworldly resonances of “the restitution of all things of which God has spoken” (Acts 3:21), although he does further specify the temporal cum liberationist dimensions of apocatastasis, which addresses “the resolve to gather again, in revolutionary action and in revolutionary thinking, precisely the elements of the ‘too early’ and the ‘too late’ of the first beginning and the final decay.” 27 Much too tardy for salvation while anticipating the epoch of revolution, the ether of the flesh is situated at the crossing of the first creation of what was and the ultimate arrest of what is. As such the flesh provides the ground, the loophole of retreat, the liminal space, and the archipelago for those revolutions that will have occurred but remain largely imperceptible within Man’s political and critical idioms: “It’s after the end of the world. . . . Don’t you know that yet?”

#### Socialist revolutions don’t do anything to ameliorate the exclusion of minorities; previous revolutions weren’t inclusive either

**Catherine 17** “The Leftist Undercurrents of Anti-Blackness” August 2017//pesh-anika

From the conception of race, to its fetishization and implementation throughout the globe in oppressing who was originally considered non-Human via capitalism and social death, [Whites have had their share in the fight for their own “liberations”](https://www.redneckrevolt.org/single-post/2016/07/24/LOOKING-AT-THE-WHITE-WORKING-CLASS-HISTORICALLY), only a fraction of which have been socialist or communist even in theory. This materialized in wars, whether bourgeoisie or socialist, such as the “Liberty” [for white and white-adjacents] or Death [counter revolutionary American Revolution](https://www.amazon.com/Counter-Revolution-1776-Resistance-Origins-America/dp/1536666777) (“Liberty” versus death) against ‘taxation without representation’, the French Revolution that resulted in triggering the global decline of absolute monarchies, and even the Bolshevik revolutions that resulted in the first “socialist state” of the post-feudal world. The oft ignored similarity between these successful uprisings was the fact of a low or non-existent population of Black people, where today [our internal populations are still kept low](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3417124/) and our ability to participate and claim any stake in revolution kept weak as well through historical underdevelopment. Where existing states with similar characteristics to socialism are not included in that observation, White radicals are often prevented from discovering (by a white supremacist, [genocidal](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3417124/), capitalist state and existence), consciously avoid in favor of ideological (ergo racial) “purity”, or find their discovery often times obscured by the oppressive orthodoxy of many Leftist theories. In doing so, they reinforce the unconscious, and sometimes even conscious, racial supremacy all white people benefit from and thus practice through its implementation and allowance, globally.