

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 effectivity 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* blacks³). 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 material. 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 trans-formative 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 begrundingly 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 interracial 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 Distraeli 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 metropolises, 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 Mongoose Paradox”; 1998: 336). There is, one could say, a point of diminishing returns, a marginal effectivity 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 “atrocious 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 Seroweian 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

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).

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

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 (Tausig 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. Phineas 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.